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RESOLUTIONS AND DECISIONS OF THE SECURITY COUNCIL 1995

SECURITY COUNCIL
OFFICIAL RECORDS: FIFTIETH YEAR

UNITED NATIONS

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UNITED NATIONS
NEW YORK, 1998

NOTE

The volume *Resolutions and Decisions of the Security Council* is published on a yearly basis. The present volume contains the resolutions adopted and the decisions taken by the Council on substantive questions during 1995, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the year under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decision.

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MEMBERSHIP OF THE SECURITY COUNCIL IN 1995

In 1995, the membership of the Security Council was as follows:

Argentina
Botswana
China
Czech Republic
France
Germany
Honduras
Indonesia
Italy
Nigeria
Oman
Russian Federation
Rwanda
United Kingdom of Great Britain and Northern Ireland
United States of America

RESOLUTIONS ADOPTED AND DECISIONS TAKEN BY THE SECURITY COUNCIL IN 1995

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

THE QUESTION CONCERNING HAITI[1]

Decisions

In a letter dated 12 January 1995,[2] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 16 December 1994 concerning the appointment of Major-General Joseph Kinzer of the United States of America as Commander of the military component of the United Nations Mission in Haiti[3] has been brought to the attention of the members of the Council. They take note of the information contained in your letter and agree with the proposal made therein."

In a letter dated 19 January 1995,[4] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 16 January 1995 concerning the composition of the military component of the United Nations Mission in Haiti[5] has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter."

In a letter dated 23 January 1995,[6] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 19 January 1995 concerning additions to the list of countries contributing military personnel to the United Nations Mission in Haiti[7] has been brought to the attention of the members of the Council. They note the information contained in the letter and agree with the proposal contained therein."

At its 3496th meeting, on 30 January 1995, the Council decided to invite the representatives of Belize, Canada, Haiti and Venezuela to participate, without vote, in the discussion of the item entitled:

> "The question concerning Haiti
>
> "Report of the Secretary-General on the question concerning Haiti (S/1995/46 and Add.1)".[8]

Resolution 975 (1995)

of 30 January 1995

The Security Council,

Recalling the provisions of its resolutions 841 (1993) of 16 June 1993, 861 (1993) of 27 August 1993, 862 (1993) of 31 August 1993, 867 (1993) of 23 September 1993, 873 (1993) of 13 October 1993, 875 (1993) of 16 October 1993, 905 (1994) of 23 March 1994, 917 (1994) of 6 May 1994, 940 (1994) of 31 July 1994, 944 (1994) of 29 September 1994, 948 (1994) of 15 October 1994 and 964 (1994) of 29 November 1994,

Recalling also the terms of the Governors Island Agreement[9] and the related New York Pact,[10]

Recalling further its determination in resolution 940 (1994) that the situation in Haiti constituted a threat to peace and security in the region which required the successive deployment of the multinational force in Haiti and the United Nations Mission in Haiti,

Having considered the reports of the Secretary-General of 18 October 1994,[11] 21 November 1994[12] and 17 January 1995,[13] and having considered the reports of the multinational force of 26 September 1994,[14] 10 October 1994,[15] 24 October 1994,[16]

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1994.

[2] S/1995/32.

[3] S/1995/31.

[4] S/1995/61.

[5] S/1995/60.

[6] S/1995/68.

[7] S/1995/67.

[8] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*.

[9] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26063, para. 5.

[10] Ibid., document S/26297, annex.

[11] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1180.

[12] Ibid., document S/1994/1322.

[13] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, documents S/1995/46 and Add.1.

[14] Ibid., *Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/1107.

[15] Ibid., *Supplement for October, November and December 1994*, document S/1994/1148.

[16] Ibid., document S/1994/1208.

7 November 1994,[17] 21 November 1994,[18] 5 December 1994,[19] 19 December 1994,[20] 9 January 1995[21] and 23 January 1995,[22]

Noting in particular the statement of the Commander of the multinational force of 15 January 1995 and the accompanying recommendation, based on the Commander's report, of the States participating in the force[23] regarding the establishment of a secure and stable environment in Haiti,

Noting the recognition in these reports and recommendations that a secure and stable environment has been established in Haiti,

Taking note of the letter dated 27 January 1995 from the Permanent Representative of Haiti to the United Nations addressed to the President of the Security Council,[24]

Underlining the importance of ensuring that force levels of peacekeeping operations are suited to the tasks involved, and noting the need for the Secretary-General to keep the force levels of the Mission under constant review,

Recognizing that the people of Haiti bear the ultimate responsibility for national reconciliation and reconstruction of their country,

1. *Welcomes* the positive developments in Haiti, including the departure from Haiti of the former military leadership, the return of the legitimately elected President and the restoration of the legitimate authorities, as envisaged in the Governors Island Agreement[9] and consistent with resolution 940 (1994);

2. *Commends* the efforts of the States participating in the multinational force in Haiti to work closely with the United Nations to assess requirements and to prepare for the deployment of the United Nations Mission in Haiti;

3. *Expresses its appreciation* to all Member States which have contributed to the multinational force;

4. *Also expresses its appreciation* to the Organization of American States and for the work of the International Civilian Mission in Haiti, and requests that the Secretary-General of the United Nations, bearing in mind the expertise and potential of the Organization of American States, consult with the Secretary-General of the Organization of American States regarding other appropriate measures which might be taken by the two organizations consistent with the present resolution and to report to the Council on the results of these consultations;

5. *Determines*, as required by resolution 940 (1994) and based on the recommendations of the Member States participating in the multinational force and in concurrence with paragraph 91 of the report of the Secretary-General of 17 January 1995,[25] that a secure and stable environment, appropriate to the deployment of the United Nations Mission in Haiti as foreseen in resolution 940 (1994), now exists in Haiti;

6. *Authorizes* the Secretary-General, in order to fulfil the second condition specified in paragraph 8 of resolution 940 (1994) for the termination of the mission of the multinational force and the assumption by the United Nations Mission in Haiti of its functions specified in that resolution, to recruit and deploy military contingents, civilian police and other civilian personnel sufficient to allow the Mission to assume the full range of its functions as established by resolution 867 (1993) and as revised and extended by paragraphs 9 and 10 of resolution 940 (1994);

7. *Also authorizes* the Secretary-General, working with the Commander of the multinational force, to take the necessary steps in order for the United Nations Mission in Haiti to assume these responsibilities as soon as possible, with the full transfer of responsibility from the multinational force to the Mission to be completed by 31 March 1995;

8. *Decides* to extend the existing mandate of the United Nations Mission in Haiti for a period of six months, that is, until 31 July 1995;

9. *Authorizes* the Secretary-General to deploy in Haiti, in accordance with resolution 940 (1994), up to 6,000 troops and, as recommended in paragraph 87 of his report of 17 January 1995,[25] up to 900 civilian police officers;

10. *Recalls* the commitment of the international community to assist and support the economic, social and institutional development of Haiti, and recognizes its importance for sustaining a secure and stable environment;

11. *Recognizes* that the situation in Haiti remains fragile, and urges the Government of Haiti, with the assistance of the United Nations Mission in Haiti and the international community, to establish without delay an effective national police force and to improve the functioning of its justice system;

12. *Requests* the Secretary-General to establish a fund, in addition to that authorized in paragraph 10 of resolution 867 (1993), through which voluntary contributions from Member States can be made available to support the international police monitoring programme and assist with the creation of an adequate police force in Haiti;

13. *Also requests* that the Secretary-General apprise the Council at an early date of the modalities of the transition from the multinational force to the United Nations Mission in Haiti, and also submit to the Council no later than 15 April 1995 a progress report on the deployment of the Mission;

14. *Decides* to remain actively seized of the matter.

Adopted at the 3496th meeting by 14 votes to none, with one abstention (China).

Decisions

At its 3523rd meeting, on 24 April 1995, the Security Council considered the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Mission in Haiti (S/1995/305)".[26]

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[17] Ibid., document S/1994/1258.

[18] Ibid., document S/1994/1321.

[19] Ibid., document S/1994/1377.

[20] Ibid., document S/1994/1430.

[21] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/15.

[22] Ibid., document S/1995/70.

[23] Ibid., document S/1995/55.

[24] Ibid., document S/1995/90.

[25] Ibid., document S/1995/46.

[26] Ibid., *Supplement for April, May and June 1995.*

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[27]

"The Security Council welcomes the transfer of responsibilities from the multinational force in Haiti to the United Nations Mission in Haiti that took place on 31 March 1995 and shares the Secretary-General's view, as stated in his report of 13 April 1995,[28] that this transfer was a milestone in the overall efforts of the international community to bring peace and stability to Haiti. The Council commends the Secretary-General, his Special Representative, the Commander of the multinational force and the other dedicated personnel of the United Nations and the force who made the transition possible.

"The Council notes, however, that much remains to be done to institutionalize democracy in Haiti and reiterates the Secretary-General's call for the people of Haiti and their leaders to help the Mission to help them. While the Mission's presence will assist the Haitian Government to sustain a secure and stable environment, the existence of a functioning and fair justice system and the early deployment of a permanent and effective police force by the Haitian authorities are central to Haiti's long-term stability. The Council joins the Secretary-General and the Friends of the Secretary-General on the question of Haiti in inviting Member States to make voluntary contributions to support the international police monitoring programme and assist with the creation of an adequate police force.

"The Government and people of Haiti bear the primary responsibility for Haiti's political, economic and social reconstruction. However, the Council notes that the sustained commitment of the international community is indispensable for long-term peace and stability in Haiti.

"The Council shares the opinion of the Secretary-General that the issue of security is central to the entire United Nations operation in Haiti.

"The Council underlines the crucial importance of free, fair and secure elections for the democratic future of Haiti. The Council stresses the necessity of a secure environment in Haiti, including during the June and July legislative and local election period, and underlines the importance of a functioning police force and an established judicial system. The Council urges the Government of Haiti to take all necessary steps to ensure the success of the elections and, in particular, to register as many voters as possible prior to the elections and to assure, in cooperation with the international community, that political campaigning occurs in an environment free from partisan intimidation.

"The Council welcomes President Aristide's meetings with leaders of political parties and members of the Provisional Electoral Council and stresses the importance of dialogue with a view to achieving the political consensus needed to enhance the benefits and credibility of the electoral process. The Council also calls upon the Government of Haiti to cooperate fully with the United Nations and the Organization of American States to ensure that the preparations for elections and the elections themselves can take place in a secure and stable environment. Consistent with the objectives of Council resolution 940 (1994), the Council emphasizes the importance for the presidential elections to take place on schedule before the scheduled withdrawal of the Mission in February 1996.

"Finally, the Council welcomes the Secretary-General's decision to coordinate the Mission's peacekeeping mission with development activities carried out by others, in a manner consistent with the Mission's mandate, to help the Government of Haiti to strengthen its institutions, particularly the judicial system. The Council hopes this coordination will promote closer cooperation of all concerned in Haiti, as well as improve the effectiveness of international support for rebuilding Haiti's economy."

At its 3559th meeting, on 31 July 1995, the Council decided to invite the representatives of Canada, Haiti and Venezuela to participate, without vote, in the consideration of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Mission in Haiti (S/1995/614)".[29]

Resolution 1007 (1995)

of 31 July 1995

The Security Council,

Recalling the provisions of its resolutions 841 (1993) of 16 June 1993, 861 (1993) of 27 August 1993, 862 (1993) of 31 August 1993, 867 (1993) of 23 September 1993, 873 (1993) of 13 October 1993, 875 (1993) of 16 October 1993, 905 (1994) of 23 March 1994, 917 (1994) of 6 May 1994, 933 (1994) of 30 June 1994, 940 (1994) of 31 July 1994, 944 (1994) of 29 September 1994, 948 (1994) of 15 October 1994, 964 (1994) of 29 November 1994 and 975 (1995) of 30 January 1995,

Recalling also General Assembly resolutions 46/7 of 11 October 1991, 46/138 of 17 December 1991, 47/20 A and B of 24 November 1992 and 20 April 1993, respectively, 47/143 of 18 December 1992, 48/27 A and B of 6 December 1993 and 8 July 1994, respectively, 48/151 of 20 December 1993, 49/27 A and B of 5 December 1994 and 12 July 1995, respectively, and 49/201 of 23 December 1994,

Having considered the report of the Secretary-General of 24 July 1995 on the work of the United Nations Mission in Haiti,[30]

Supporting the continuing leadership by the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the efforts of the United Nations and the Organization of American States to assist with political progress and stability in Haiti,

Supporting also the role of the Mission in assisting the Government of Haiti in its efforts to maintain a secure and stable environment as called for in resolution 940 (1994),

Stressing the importance of free and fair municipal, legislative and presidential elections in Haiti as crucial steps in the complete consolidation of democracy in Haiti,

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[27] S/PRST/1995/20.

[28] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/305.

[29] Ibid., *Supplement for July, August and September 1995*.

[30] Ibid., document S/1995/614.

Welcoming the commitment of the international community to assist and support the economic, social and institutional development of Haiti, and recognizing the importance of such assistance in sustaining a secure and stable environment,

Commending all efforts to establish a fully functioning national police force of adequate size and structure, necessary for the consolidation of democracy and revitalization of Haiti's system of justice, and noting the key role played by the civilian police component of the Mission in creating such a police force,

Underlining the need to keep under review the progress of the Mission in the fulfilment of its mandate,

1. *Commends* the United Nations Mission in Haiti on its successful efforts, as authorized in resolution 940 (1994), to assist the Government of Haiti in sustaining a secure and stable environment, protecting international personnel and key installations, establishing the conditions for holding elections and professionalizing the security forces;

2. *Expresses its thanks* to the United Nations Mission in Haiti and the International Civilian Mission in Haiti, and to States contributing to these missions, for their assistance with the municipal and legislative elections held on 25 June 1995, and looks forward to their continuing efforts as Haiti prepares for the completion of these elections and for subsequent presidential elections;

3. *Commends* the people of Haiti for their peaceful participation in the first round of municipal and legislative elections, and calls upon the Government and political parties in Haiti to work together to ensure that the remaining municipal and legislative elections and the presidential elections to be held at the end of 1995 are conducted in an orderly, peaceful, free and fair manner, in accordance with the Haitian Constitution;

4. *Expresses its deep concern* with irregularities observed in the first round of municipal and legislative elections, and urges all parties to the process to pursue every effort to ensure that such problems are corrected in future balloting;

5. *Welcomes* the continuing efforts of President Jean-Bertrand Aristide to work towards national reconciliation, and calls upon the Secretaries-General of the United Nations and the Organization of American States, respectively, to continue to render all appropriate assistance to the Haitian electoral process;

6. *Reaffirms* the importance of a fully functioning national police force of adequate size and structure to the consolidation of democracy and the revitalization of Haiti's system of justice;

7. *Notes* the key role played by the civilian police component of the United Nations Mission in Haiti in establishing such a police force;

8. *Recalls* the commitment of the international community to assist and support the economic, social and institutional development of Haiti, and stresses its importance for sustaining a secure and stable environment in Haiti;

9. *Decides*, in order to achieve the objectives established in resolution 940 (1994), to extend the mandate of the United Nations Mission in Haiti for a period of seven months, and looks forward to the conclusion of the mandate at that time and to the safe, secure and orderly assumption of office by a new, constitutionally elected government;

10. *Calls upon* States and international institutions to continue to provide assistance to the Government and the people of Haiti as they consolidate the gains made towards democracy and stability;

11. *Requests* the Secretary-General to apprise the Council of progress in the fulfilment of the mandate of the United Nations Mission in Haiti and, to this end, also requests the Secretary-General to report to the Council at the mid-point of this mandate period;

12. *Pays tribute* to the Special Representative of the Secretary-General and the members and staff of the United Nations Mission in Haiti and the International Civilian Mission in Haiti for their respective contributions in assisting the Haitian people in their quest for strong and lasting democracy, constitutional order, economic prosperity and national reconciliation;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3559th meeting

Decisions

At its 3594th meeting, on 16 November 1995, the Security Council considered the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Mission in Haiti (S/1995/922)".[31]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[32]

"The Security Council welcomes the report of the Secretary-General of 6 November 1995 on the United Nations Mission in Haiti, issued pursuant to resolution 1007 (1995).[33]

"The Council commends the Mission on the substantial progress it has made towards fulfilling its mandate, as set out in resolution 940 (1994), to assist the Government of Haiti in sustaining a secure and stable environment, protecting international personnel and key installations, establishing the conditions for holding elections and creating a new professional police force. The Council commends the Secretary-General, his Special Representative and other dedicated personnel of the United Nations who have contributed to this effort.

"The Council also commends the Government of Haiti for holding local and legislative elections in a peaceful and non-violent environment and notes the recent convocation of the special session of the National Assembly and its approval of the new Cabinet and plan of government. The Council notes with satisfaction the role of the United Nations Mission in Haiti and the joint United Nations/Organization of American States International Civilian Mission in Haiti in assisting the Haitian authorities with the electoral process.

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[31] Ibid., *Supplement for October, November and December 1995.*

[32] S/PRST/1995/55.

[33] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/922.

"The Council emphasizes that the continued engagement and commitment of all Haitian parties is necessary to the successful organization of free, fair and peaceful presidential elections. Consistent with the objectives of resolutions 940 (1994) and 1007 (1995), the Council welcomes the announcement by the Provisional Electoral Council of presidential elections scheduled for 17 December 1995 that should allow a transition of power to a duly-elected successor before the scheduled termination of the United Nations Mission in Haiti on 29 February 1996. The holding of presidential elections on schedule is a crucial step in consolidating long-lasting democracy in Haiti and ensuring a smooth transition of government. The Council calls upon all political parties in Haiti to participate in the forthcoming elections and to contribute actively to maintain the secure and stable conditions necessary for their conduct.

"The Council notes with concern recent instances of violence in Haiti and calls for respect for the rule of law, national reconciliation and cooperation.

"The Government and people of Haiti bear the primary responsibility for Haiti's political, economic and social reconstruction. The Council underlines its firm support for the progress Haiti has already made in this regard. The Council emphasizes that a sustained commitment by the international community is indispensable for long-term peace and stability in Haiti. In this regard the Council encourages the Haitian Government to continue its dialogue with the international financial institutions.

"The Council shares the view of the Secretary-General that the establishment of a professional police force capable of maintaining law and order throughout the country is central to Haiti's long-term stability. As the end of the mandate of the United Nations Mission in Haiti approaches, attention should be focused on the selection and training of the Haitian national police supervisors and on interested Member States providing the police force with the necessary equipment.

"The Council also supports the efforts of the Secretary-General to streamline the United Nations Mission in Haiti, including the civilian police component.

"The Council expresses its confidence that the Special Representative of the Secretary-General, the joint United Nations Mission in Haiti and the United Nations/Organization of American States International Civilian Mission in Haiti will continue to assist the Government and people of Haiti. It notes in particular the useful role played by the Organization of American States and the valuable cooperation with Haiti of interested Member States on a bilateral basis and stresses the importance of continuing such cooperation. The Council requests that the Secretary-General, in consultation with the Friends of the Secretary-General on the question of Haiti and the Haitian authorities, report to the Council, at the appropriate time, on the next steps in the areas of security, law enforcement and humanitarian assistance, including by United Nations specialized agencies and programmes, which the international community may take to help Haiti achieve a long-term future that is secure, stable and free."

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

The situation in the Republic of Bosnia and Herzegovina[1]

Decisions

At its 3486th meeting, on 6 January 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

"The Security Council welcomes the agreements between the Bosnian parties on a ceasefire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina concluded on 23 and 31 December 1994.[3] It commends the efforts of all who worked to achieve them.

"The Council stresses the importance it attaches to immediate and full compliance with the agreements. It attaches the highest priority at this juncture to the timely completion of the various steps envisaged in the agreement on a complete cessation of hostilities. It looks to the parties and others concerned to cooperate fully with the United Nations Protection Force in their implementation. The Council calls upon all forces to cease fighting around Bihac. It supports efforts in train to strengthen the Force and encourages Member States to make available the personnel and equipment needed for the Force to supervise and monitor the agreements.

"The Council will continue its consideration of all aspects of the crisis in Bosnia and Herzegovina and of the report of the Secretary-General of 1 December 1994.[4]

"The Council deems it imperative to intensify efforts under the auspices of the Contact Group to achieve an overall settlement on the basis of the acceptance of the Contact Group peace plan as a starting point. It will give its full support to such efforts."

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[2] S/PRST/1995/1.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/8, annexes I and II.

[4] Ibid., *Forty-Ninth Year, Supplement for October, November and December 1994*, document S/1994/1389.

At its 3487th meeting, on 12 January 1995, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Egypt, Malaysia, Pakistan and Turkey to participate, without vote, in the discussion of the item entitled:

> "The situation in the Republic of Bosnia and Herzegovina
>
> "Letter dated 4 January 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/6)".[5]

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to address the Council in the course of the discussion of the item before it.

Resolution 970 (1995)

of 12 January 1995

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolution 943 (1994) of 23 September 1994,

Welcoming the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular those detailed in the report transmitted by the letter dated 4 January 1995 from the Secretary-General to the President of the Security Council,[6] to maintain the effective closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting that those measures were a necessary condition for the adoption of the present resolution,

Stressing the importance of the maintenance by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the effective closure of that border, and of further efforts by them to enhance the effectiveness of that closure, including by the prosecution of persons suspected of violating measures to that end and by sealing border crossing points as requested by the Mission of the International Conference on the Former Yugoslavia,

Expressing its appreciation for the work of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and of the Mission of the International Conference to the Federal Republic of Yugoslavia (Serbia and Montenegro), and stressing the importance it attaches to the availability of all resources necessary for the work of the Mission,

Noting that paragraph 9 of resolution 757 (1992) of 30 May 1992 remains in force,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended for a further period of one hundred days from the adoption of the present resolution;

2. *Calls upon* all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region;

3. *Reaffirms* that the requirements in paragraph 12 of resolution 820 (1993) that import to, export from and trans-shipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina respectively, apply to all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina;

4. *Requests* the Security Council Committee established pursuant to resolution 724 (1991) urgently to expedite its elaboration of appropriate streamlined procedures as referred to in paragraph 2 of resolution 943 (1994), and to give priority to its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the International Committee of the Red Cross and from the Office of the United Nations High Commissioner for Refugees and other organizations in the United Nations system;

5. *Requests* that every thirty days the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia have certified that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their decision to close the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs and are complying with the requirements of paragraph 3 above in respect of all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, and further requests the Secretary-General to report to the Council immediately if he has evidence, including from the Co-Chairmen of the Steering Committee, that those authorities are not effectively implementing their decision to close that border;

6. *Decides* that, if at any time the Secretary-General reports that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not effectively implementing their decision to close that border, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

7. *Decides* to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

8. *Decides* to remain actively seized of the matter.

Adopted at the 3487th meeting by 14 votes to none, with 1 abstention (Russian Federation).

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[5] Ibid., *Fiftieth Year, Supplement for January, February and March 1995.*

[6] Ibid., document S/1995/6.

Decisions

At its 3501st meeting, on 17 February 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

> "The Security Council is deeply concerned at the continued fighting around Bihac and deplores the serious humanitarian situation in the Bihac area. It reaffirms its support for the Special Representative of the Secretary-General and the United Nations Protection Force.
>
> "The Council recalls the statement by its President of 6 January 1995.[2] It reiterates the importance it attaches to full compliance with the agreements between the Bosnian parties on a ceasefire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina concluded on 23 and 31 December 1994.[3] All involved must now make a concerted effort to consolidate what has been achieved so far to avoid the risk of a renewed outbreak of hostilities.
>
> "The Council demands that all forces in the Bihac area cease fighting immediately and cooperate fully with the United Nations Protection Force in achieving an effective ceasefire. The Council reiterates its condemnation of the continued violations of the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina.
>
> "The Council condemns the recent obstruction of humanitarian convoys destined for the Bihac area by the Croatian Serb and Abdic forces. It welcomes the fact that convoys are now getting through and calls upon all parties and others concerned henceforth to facilitate the unhindered flow of humanitarian assistance and complete freedom of movement for the United Nations Protection Force."

At its 3520th meeting, on 14 April 1995, the Council considered the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[8]

> "The Security Council is gravely concerned at the recent attacks on the United Nations Protection Force personnel in the Republic of Bosnia and Herzegovina and, in this regard, has learnt with particular indignation that once again a soldier of the Force, this time a soldier of the French contingent, was deliberately targeted and shot to death by an unidentified sniper in Sarajevo today. The Council notes with similar concern that several other soldiers of the United Nations have been killed recently in similar circumstances.
>
> "The Council condemns in the strongest terms such acts directed at peacekeepers who are serving the cause of peace in the Republic of Bosnia and Herzegovina. Deliberate targeting of United Nations Protection Force personnel reflects the overall deterioration of the situation in the Republic of Bosnia and Herzegovina. The Council wishes to state once again that this is totally unacceptable. It reiterates that the cooperation of all parties and others concerned is indispensable for the missions of the Force to be carried out and demands that they respect fully the status of United Nations personnel.
>
> "The Council invites the Secretary-General to investigate the circumstances of these acts and to report to the Council, taking into consideration the views of troop-contributing countries, on any measures which might be necessary to prevent further similar attacks, which should not remain unpunished."

At its 3521st meeting, on 19 April 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

Resolution 987 (1995)

of 19 April 1995

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia, and reaffirming in this context its resolution 982 (1995) of 31 March 1995, in particular paragraphs 6 and 7 thereof,

Expressing its grave concern at the continued fighting in the Republic of Bosnia and Herzegovina despite the agreements on a ceasefire and on a complete cessation of hostilities concluded on 23 and 31 December 1994,[3] and deploring the violations of these agreements and of the ban imposed by its resolutions 781 (1992) of 9 October 1992 and 816 (1993) of 31 March 1993 by whomsoever committed,

Stressing the unacceptability of all attempts to resolve the conflict in the Republic of Bosnia and Herzegovina by military means,

Noting once again the need for resumed negotiations aimed at an overall peaceful settlement of the situation in the Republic of Bosnia and Herzegovina on the basis of the acceptance of the Contact Group peace plan as a starting point,

Gravely preoccupied at the recent attacks on the United Nations Protection Force personnel in the Republic of Bosnia and Herzegovina and at the fatalities resulting therefrom, condemning in the strongest terms such unacceptable acts directed at members of peacekeeping forces, and determined to obtain strict respect of the status of United Nations personnel in the Republic of Bosnia and Herzegovina,

Reaffirming its determination to ensure the security of the United Nations Protection Force and freedom of movement for all its missions, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

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[7] S/PRST/1995/8.
[8] S/PRST/1995/19.

1. *Emphasizes once again* the responsibility of the parties and others concerned in the Republic of Bosnia and Herzegovina for the security and safety of the United Nations Protection Force, and in this context demands again that all parties and others concerned refrain from any act of intimidation or violence against the Force and its personnel;

2. *Recalls* its invitation to the Secretary-General, in this context, to submit proposals on any measures which could be taken to prevent attacks against the United Nations Protection Force and its personnel and allow it to perform effectively its mission, and invites him to submit such proposals on an urgent basis;

3. *Calls upon* the Bosnian parties to agree to an extension of the agreements on a ceasefire and on a complete cessation of hostilities concluded on 23 and 31 December 1994[3] beyond 30 April 1995, and looks to all parties and all others concerned to cooperate fully with the United Nations Protection Force in their implementation;

4. *Urges* all parties and others concerned to resume forthwith negotiations towards an overall peaceful settlement on the basis of the acceptance of the Contact Group peace plan as a starting point;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3521st meeting.

Decisions

At its 3522nd meeting, on 21 April 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

> "The situation in the Republic of Bosnia and Herzegovina
>
> "Letter dated 13 April 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/302)".[9]

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to address the Council in the course of the discussion of the item before it.

Resolution 988 (1995)

of 21 April 1995

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 943 (1994) of 23 September 1994 and 970 (1995) of 12 January 1995,

Noting the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), as described in the reports transmitted by the letters dated 31 March[10] and 13 April 1995[11] from the Secretary-General to the President of the Security Council, to maintain the closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting that those measures were a necessary condition for the adoption of the present resolution,

Concerned, however, about reports suggesting that helicopter flights may have crossed the border between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro), and noting that an investigation of those reports is being undertaken by the Mission of the International Conference on the Former Yugoslavia,

Noting with satisfaction that the cooperation of the Mission of the International Conference with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good, and stressing the importance of effective closure by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, and of further efforts by them to enhance the effectiveness of that closure, including by the prosecution of persons suspected of violating measures to that end and by sealing border crossing points as requested by the Mission,

Expressing its appreciation for the work of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and of the Mission of the International Conference to the Federal Republic of Yugoslavia (Serbia and Montenegro),

Noting that paragraph 9 of resolution 757 (1992) of 30 May 1992 remains in force,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended until 5 July 1995;

2. *Confirms* that commodities and products, including fuel beyond immediate needs for a flight or ferry voyage, taking into account internationally recognized safety requirements, shall not be carried on flights and ferry services permitted in accordance with paragraph 1 above, except in accordance with the provisions of relevant resolutions and in conformity with the procedures of the Security Council Committee established pursuant to resolution 724 (1991) of 15 December 1991, and that, if a need is established for the supply of additional fuel for the operation of flights permitted in accordance with paragraph 1 above, the Committee established pursuant to resolution 724 (1991) shall consider such applications on a case-by-case basis;

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[9] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[10] Ibid., *Supplement for January, February and March 1995*, document S/1995/255.

[11] Ibid., *Supplement for April, May and June 1995*, document S/1995/302.

3. *Reminds* States of the importance of strict enforcement of measures imposed under Chapter VII of the Charter, and calls upon all States which allow flights or ferry services permitted in accordance with paragraph 1 above from their territories or using their flag vessels or aircraft to report to the Committee established pursuant to resolution 724 (1991) on the controls adopted by them to implement such measures in earlier relevant resolutions;

4. *Calls upon* all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region;

5. *Underlines* the importance it attaches to the work of the Mission of the International Conference on the Former Yugoslavia, expresses its concern that a shortage of resources hampers the effectiveness of that work, and requests the Secretary-General to report to the Security Council within thirty days of the adoption of the present resolution on measures to increase the effectiveness of the work of the Mission, including on the question of helicopter flights;

6. *Requests* Member States to make available the necessary resources to strengthen the capacity of the Mission of the International Conference to carry out its tasks, and encourages the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to give additional support for the operation of the Mission;

7. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate fully with the Mission of the International Conference, in particular in investigating alleged breaches of the closure of the border, whether by land or by air, between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina and ensuring the continued closure of that border;

8. *Stresses* the importance it attaches to a thorough investigation of reports that helicopter flights may have crossed the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, calls upon the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to comply with their commitment to cooperate fully in that investigation, and requests the Secretary-General to report to the Security Council on the outcome of the investigation;

9. *Reaffirms its decision* that import to, export from and trans-shipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies, including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina;

10. *Encourages* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to reinstate the severance of international telecommunication links between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, which they instituted in August 1994;

11. *Requests* the Committee established pursuant to resolution 724 (1991) to conclude urgently its elaboration of appropriate streamlined procedures, and invites the Chairman of that Committee to report to the Security Council as soon as possible on the matter;

12. *Also requests* the Committee established pursuant to resolution 724 (1991) to continue to give priority to its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the International Committee of the Red Cross and from the Office of the United Nations High Commissioner for Refugees and other organizations in the United Nations system;

13. *Requests* that, every thirty days and no fewer than ten days before the expiration of the period referred to in paragraph 1 above, the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, on the basis of information made available to them from the Mission of the International Conference and all other available sources deemed relevant by the Mission, have certified that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are implementing their decision to close the international border, on land and in the air, between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs and are complying with the requirements of paragraph 3 of resolution 970 (1995) in respect of all shipments across the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, and requests that the Secretary-General inform the Council in his report if the Co-Chairmen of the Steering Committee have received substantiated evidence, from sources deemed relevant by the Mission, of substantial trans-shipments of goods, except foodstuffs, medical supplies and clothing for essential humanitarian needs, from the Federal Republic of Yugoslavia (Serbia and Montenegro) through the Republic of Croatia to the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces in violation of earlier relevant resolutions;

14. *Also requests* the Secretary-General to report to the Security Council immediately if he has evidence, including from the Co-Chairmen of the Steering Committee of the International Conference, that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina;

15. *Decides* that if at any time the Secretary-General reports that, from sources deemed relevant by the Mission of the International Conference, the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not implementing their decision to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina or that they are permitting substantial diversion of goods, except foodstuffs, medical supplies and clothing for essential humanitarian needs, from the Federal Republic of Yugoslavia (Serbia and Montenegro) through the Republic of Croatia to the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces in violation of earlier relevant resolutions, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

16. *Encourages* the Co-Chairmen of the Steering Committee of the International Conference to ensure that

the Mission of the International Conference keeps the Government of the Republic of Bosnia and Herzegovina, the Government of the Republic of Croatia and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) fully informed about the findings of the Mission;

17. *Decides* to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

18. *Decides* to remain actively seized of the matter.

Adopted at the 3522nd meeting by 13 votes to none, with 2 abstentions (China, Russian Federation).

Decisions

At its 3530th meeting, on 3 May 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[12]

"The Security Council is deeply concerned about the failure of the Bosnian parties to agree to an extension of the agreements on a ceasefire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina[3] and the recent deterioration of the situation there. It stresses once again the unacceptability of all attempts to resolve the conflict in the Republic of Bosnia and Herzegovina by military means.

"The Council calls upon the Bosnian parties to agree without further delay to a further ceasefire and a complete cessation of hostilities and, in this regard, fully supports the negotiating efforts of the United Nations Protection Force and other international efforts aimed at persuading the Bosnian parties to agree to such a ceasefire and complete cessation of hostilities. The Council urges the Bosnian parties to abstain from any steps which may lead to further escalation of the conflict and reaffirms the need for a political settlement on the basis of the acceptance of the Contact Group peace plan as a starting point."

At the same meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[13]

"The Security Council is deeply concerned about the obstruction of the normal operation of the Sarajevo airport, including the suspension of the humanitarian relief airlift, caused by Bosnian Serb threats against United Nations aircraft and humanitarian relief flights, and by their attempts to impose restrictions on the use of the Sarajevo airport by official missions as foreseen in the agreement of 5 June 1992.[14] Such obstruction is in breach of the agreement of 5 June 1992 and of the Council's previous resolutions, in particular resolution 761 (1992), and is unacceptable. Obstruction of the humanitarian relief also constitutes a violation of international humanitarian law.

"In that context, the Council demands that all parties and others concerned comply fully with the agreement of 5 June 1992 and create immediately the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other destinations in the Republic of Bosnia and Herzegovina. It calls upon the Bosnian Serb party to guarantee the safety of all flights to Sarajevo supervised by the United Nations Protection Force, including humanitarian relief flights.

"The Council requests the Secretary-General to keep it informed of discussions with the Bosnian Serb party on the restoration of the normal functioning of the Sarajevo airport so that it might take further action as necessary."

At its 3548th meeting, on 23 June 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[15]

"The Security Council reiterates its condemnation of interference with humanitarian supplies and the freedom of movement of the United Nations Protection Force by all parties within the territory of the Republic of Bosnia and Herzegovina. In this context, it is deeply concerned by the blockading by Bosnian Government forces of United Nations Protection Force personnel in the Visoko, Gorazde, Gorni Vakuf and Kladanj areas, which included placing mines outside the United Nations Protection Force camp in Visoko on 20 June 1995. The Council is also deeply concerned at the deterioration in the situation in and around Sarajevo, the obstruction by the Bosnian Serb party of freedom of movement and utilities to the city and the continued obstruction of the normal operation of the Sarajevo airport.

"The Council stresses that all such actions are unacceptable and demands that all parties fully respect the safety and security of United Nations Protection Force personnel and ensure their complete freedom of movement to enable the Force to carry out its mandate in accordance with the resolutions of the Council.

"The Council calls upon the parties to enter into negotiations as provided for in its resolution 998 (1995) of 16 June 1995 and to agree without further delay to a ceasefire and a complete cessation of hostilities in the Republic of Bosnia and Herzegovina. The Council emphasizes that there can be no military solution to the conflict in the Republic of Bosnia and Herzegovina. It stresses the importance it attaches to the vigorous pursuit of a political settlement and reiterates its demand that the Bosnian Serb party accept the Contact Group peace plan as a starting point."

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[12] S/PRST/1995/24.

[13] S/PRST/1995/25.

[14] See *Official Records of the Security Council, Forty-seventh Year, Supplement for April, May and June 1992*, document S/24075.

[15] S/PRST/1995/31.

At its 3551st meeting, on 5 July 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Letter dated 25 June 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/510)".[9]

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to address the Council in the course of the discussion of the item.

Resolution 1003 (1995)

of 5 July 1995

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 943 (1994) of 23 September 1994, 970 (1995) of 12 January 1995 and 988 (1995) of 21 April 1995,

Calling upon all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region,

Noting the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular those detailed in the report transmitted by the letter dated 25 June 1995 from the Secretary-General to the President of the Security Council,[16] to maintain the effective closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting with satisfaction that the cooperation of the Mission of the International Conference on the Former Yugoslavia with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good,

Reaffirming the importance of further efforts by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to enhance the effectiveness of the closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs,

Underlining the particular importance it attaches to there being no provision of military assistance, in terms of finance, equipment, coordination of air defences or recruitment of troops, to the Bosnian Serb forces,

Expressing its appreciation for the work of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and of the Mission of the International Conference to the Federal Republic of Yugoslavia (Serbia and Montenegro), and underlining the importance of the necessary resources being made available so as to strengthen the capacity of the Mission to carry out its tasks,

Noting with satisfaction that the Security Council Committee established pursuant to resolution 724 (1991) of 15 December 1991 has adopted streamlined procedures for expediting its consideration of applications concerning legitimate humanitarian assistance, as well as a number of measures facilitating legitimate trans-shipments via the Danube river,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended until 18 September 1995;

2. *Decides also* that the arrangements referred to in paragraphs 13, 14 and 15 of resolution 988 (1995) shall continue to apply;

3. *Renews its call* for early mutual recognition between the States of the former Yugoslavia within their internationally recognized borders, recognition between the Republic of Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro) being an important first step, and urges the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to take that step;

4. *Reaffirms its decision* to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

5. *Decides* to remain actively seized of the matter.

Adopted at the 3551st meeting by 14 votes to none, with 1 abstention (Russian Federation).

Decision

At its 3553rd meeting, on 12 July 1995, the Security Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

Resolution 1004 (1995)

of 12 July 1995

The Security Council,

Recalling all its earlier relevant resolutions,

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[16] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/510.

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Gravely concerned at the deterioration in the situation in and around the safe area of Srebrenica, Republic of Bosnia and Herzegovina, and at the plight of the civilian population there,

Gravely concerned also at the very serious situation which confronts personnel of the United Nations Protection Force and a great number of displaced persons within the safe area at Potocari, especially the lack of essential food supplies and medical care,

Paying tribute to the United Nations Protection Force personnel deployed in the safe area of Srebrenica,

Condemning the offensive by the Bosnian Serb forces against the safe area of Srebrenica and, in particular, the detention by the Bosnian Serb forces of United Nations Protection Force personnel,

Condemning also all attacks on United Nations Protection Force personnel,

Recalling the agreement of 18 April 1993 by the Government of the Republic of Bosnia and Herzegovina and the Bosnian Serb party for the demilitarization of Srebrenica,[17] and regretting that it has not been implemented in full by either party,

Stressing the importance of renewed efforts to achieve an overall peaceful settlement, and the unacceptability of any attempt to resolve the conflict in the Republic of Bosnia and Herzegovina by military means,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Bosnian Serb forces cease their offensive and withdraw from the safe area of Srebrenica immediately;

2. *Demands also* that the parties respect fully the status of the safe area of Srebrenica in accordance with the agreement of 18 April 1993;[17]

3. *Demands further* that the parties respect fully the safety of United Nations Protection Force personnel and ensure their complete freedom of movement, including resupply;

4. *Demands* that the Bosnian Serb forces immediately and unconditionally release unharmed all detained United Nations Protection Force personnel;

5. *Demands also* that all parties allow unimpeded access for the Office of United Nations High Commissioner for Refugees and other international humanitarian agencies to the safe area of Srebrenica in order to alleviate the plight of the civilian population and, in particular, that they cooperate on the restoration of utilities;

6. *Requests* the Secretary-General to use all resources available to him to restore the status, as defined by the agreement of 18 April 1993, of the safe area of Srebrenica in accordance with the mandate of the United Nations Protection Force, and calls upon the parties to cooperate to that end;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3553rd meeting.

Decisions

At its 3554th meeting, on 14 July 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[18]

"The Security Council recalls its resolution 1004 (1995). The Council is deeply concerned about the ongoing forced relocation of tens of thousands of civilians from the Srebrenica safe area to the Tuzla region by the Bosnian Serb party. Such forced relocation is a clear violation of the human rights of the civilian population. It is especially concerned about reports of grave mistreatment and killing of innocent civilians. It is equally concerned about reports that up to 4,000 men and boys have been forcibly removed by the Bosnian Serb party from the Srebrenica safe area. It demands that in conformity with internationally recognized standards of conduct and international law the Bosnian Serb party release them immediately, respect fully the rights of the civilian population of the Srebrenica safe area and other persons protected under international humanitarian law and permit access by the International Committee of the Red Cross.

"The Council again condemns the unacceptable practice of ethnic cleansing and reaffirms that those who have committed or have ordered the commission of such acts will be held individually responsible in respect of such acts.

"The Council demands that the Bosnian Serb party immediately allow unimpeded access to the civilian population of the Srebrenica safe area by international humanitarian organizations and cooperate with any procedure established by those organizations to determine which civilians wish to depart from the area of Srebrenica. It further demands that the Bosnian Serb party respect fully the rights of those civilians who wish to remain in the safe area and cooperate with efforts to ensure that civilians who wish to depart are allowed to do so with their families in an orderly, safe way in conformity with international law.

"The Council demands that both sides allow the unhindered movement of humanitarian relief and cooperate with efforts by international organizations and agencies and concerned Governments to provide food, medicine, facilities and housing to the displaced.

"The Council reiterates its demand that the Bosnian Serb forces immediately and unconditionally release unharmed all detained personnel of the United Nations Protection Force and that the parties respect fully the safety of all Force personnel and ensure their complete freedom of movement.

"The Council pays tribute to all the personnel of the United Nations Protection Force and of the Office of the United Nations High Commissioner for Refugees, especially those deployed in the area of Srebrenica. It notes that the presence and bravery of the troops has undoubtedly saved the lives of many civilians in the Srebrenica area."

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[17] Ibid., *Forty-eighth Year, Supplement for April, May and June 1993*, document S/25700, annex II.

[18] S/PRST/1995/32.

At its 3556th meeting, on 20 July 1995, the Council considered the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Letter dated 17 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council (S/1995/582)".[19]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[20]

"The Security Council, recalling its previous resolutions, is deeply concerned by the situation in and around the safe area of Zepa. It condemns in the strongest possible terms the offensive by the Bosnian Serb forces against the safe area. The Council is also concerned in particular at the plight of the civilian population there.

"The Council attaches the utmost importance to the safety and well-being of the civilian population in Zepa. It demands that the Bosnian Serb forces refrain from any further action that threatens the safety of that population and that they respect fully the rights of the civilian population and other persons protected under international humanitarian law. The Council reaffirms its condemnation of all violations of international humanitarian law, and reiterates to all concerned that those who have committed or ordered the commission of such acts will be held individually responsible in respect of such acts. It reminds the military and political leaders of the Bosnian Serb party that this responsibility extends to any such acts committed by forces under their command.

"The Council underlines the importance it attaches to the fullest cooperation with the Office of the United Nations High Commissioner for Refugees and other international humanitarian organizations and demands that they be given unhindered freedom of movement and access to that area. It further demands that the Bosnian Serb authorities cooperate with all efforts, including those of the United Nations Protection Force, to ensure the safety of the civilian population and, in particular, its most vulnerable members, including evacuation as requested by the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina in his letter dated 17 July 1995.[21]

"The Council strongly condemns the recent acts of violence and intimidation which have occurred against the United Nations Protection Force personnel. It demands that both parties ensure the safety and freedom of movement of Force personnel at all times."

At its 3557th meeting, on 25 July 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Letter dated 24 July 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the President of the Security Council (S/1995/610)".[19]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[22]

"The Security Council is deeply concerned about the situation in and around the safe area of Zepa in the Republic of Bosnia and Herzegovina. The Council notes the letter dated 25 July 1995 from the President of the Republic of Bosnia and Herzegovina to the President of the Security Council.[23]

"The Council reaffirms its previous relevant resolutions and the statement by its President of 20 July 1995.[20] It reiterates in the strongest possible terms its condemnation of the Bosnian Serb offensive against the safe area and demands that the Bosnian Serbs comply fully with the requirements set out in that statement as well as its earlier resolutions. The Council further demands that Bosnian Serb forces withdraw from the safe areas of Srebrenica and Zepa.

"The Council remains particularly concerned at the plight of the civilian population and other persons protected under international humanitarian law in the Zepa area. It welcomes and supports the efforts being made by the United Nations Protection Force and the international humanitarian agencies, as requested by the President of the Republic of Bosnia and Herzegovina, to achieve a safe evacuation of those civilians who wish to leave and stresses the importance it attaches to the success of those efforts. It requests the Secretary-General to use all resources available to him to that end and calls upon the parties to cooperate.

"The Council demands that the United Nations Protection Force and the international humanitarian agencies be provided with immediate and unhindered access to the population of the area and, in particular, that the Bosnian Serb party provide access for representatives of the International Committee of the Red Cross to all civilians who decide to remain and permit the International Committee of the Red Cross to register any persons detained against their will and visit them immediately."

At its 3564th meeting, on 10 August 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

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[19] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995.*

[20] S/PRST/1995/33.

[21] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/582.

[22] S/PRST/1995/34.

[23] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/611.

Resolution 1010 (1995)

of 10 August 1995

The Security Council,

Recalling all its earlier relevant resolutions, and reaffirming its resolution 1004 (1995) of 12 July 1995,

Reaffirming the statements by its President of 20 and 25 July 1995,[20,22] and deeply concerned that the demands set out therein have not been fully complied with by the Bosnian Serb party,

Reiterating the unacceptability of the violation of the safe areas of Srebrenica and Zepa by Bosnian Serb forces,

Reaffirming its commitment to the sovereignty, territorial integrity and independence of the Republic of Bosnia and Herzegovina,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Deeply concerned at reports of grave violations of international humanitarian law in and around Srebrenica and at the fact that many of the former inhabitants of Srebrenica cannot be accounted for,

Concerned also at the plight of the civilian population and other persons protected under international humanitarian law, originating in the Zepa area,

Expressing its strong support for the efforts of the International Committee of the Red Cross in seeking access to displaced persons, and condemning the failure of the Bosnian Serb party to comply with their commitments to the International Committee of the Red Cross in respect of such access,

1. *Demands* that the Bosnian Serb party give representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international agencies immediate access to persons displaced from Srebrenica and Zepa who are within the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces and that the Bosnian Serb party permit representatives of the International Committee of the Red Cross to visit and register any persons detained against their will, including any members of the forces of the Republic of Bosnia and Herzegovina;

2. *Also demands* that the Bosnian Serb party respect fully the rights of all such persons and ensure their safety, and urges that any persons detained be released;

3. *Reiterates* that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts;

4. *Requests* the Secretary-General to report to the Council as soon as possible, and no later than 1 September 1995, with any information available to United Nations personnel regarding compliance with the present resolution and concerning violations of international humanitarian law;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3564th meeting.

Decisions

At its 3572nd meeting, on 7 September 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Report of the Secretary-General submitted pursuant to Security Council resolution 1010 (1995) (S/1995/755)".[19]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[24]

"The Security Council has considered the report of the Secretary-General of 30 August 1995 submitted pursuant to Council resolution 1010 (1995) of 10 August 1995.[25]

"The Council strongly condemns the failure of the Bosnian Serb party to comply with the demands contained in resolution 1010 (1995). The Bosnian Serb party's refusal to cooperate with the United Nations High Commissioner for Refugees and the International Committee of the Red Cross cannot but reinforce the deep concern expressed in that resolution and in previous resolutions and statements.

"The Council stresses its determination that the fate of persons displaced from Srebrenica and Zepa be established. It reaffirms its demands to the Bosnian Serb party to give representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international agencies immediate access to such persons who are within the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces and to permit representatives of the International Committee of the Red Cross to visit and register any persons detained against their will.

"The Council also reaffirms its demands to the Bosnian Serb party to respect fully the rights of all such persons, to ensure their safety and to release them.

"The Council reiterates that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts.

"The Council takes note of the investigations that are being carried out by the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to its resolution 827 (1993). The Council reiterates in this context that all States shall cooperate fully with the Tribunal and its organs, including by providing access to sites the Tribunal deems important for its investigations.

"The Council requests the Secretary-General to continue his efforts and to report to the Council no later than 6 October 1995 regarding compliance with resolution

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[24] S/PRST/1995/43.

[25] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/755.

1010 (1995) and any further relevant information that may become available.

"The Council will remain actively seized of the matter."

At its 3575th meeting, on 8 September 1995, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Egypt, Pakistan, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to address the Council in the course of the discussion of the item.

At its 3576th meeting, on 8 September 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[26]

> "The Security Council welcomes the meeting of the Ministers for Foreign Affairs of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) held under the auspices of the Contact Group at Geneva on 8 September 1995. It welcomes the joint statement[27] issued at the conclusion of that meeting and in particular the agreement by the parties on the Agreed Basic Principles.[28] It strongly urges the parties to negotiate in good faith and expeditiously on the basis of those Principles with the aim of achieving a lasting peace throughout the region."

At its 3578th meeting, on 15 September 1995, the Council decided to invite the representatives of Bosnia and Herzegovina, Bulgaria, Croatia and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Letter dated 6 September 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/768)".[19]

Resolution 1015 (1995)

of 15 September 1995

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 943 (1994) of 23 September 1994, 970 (1995) of 12 January 1995, 988 (1995) of 21 April 1995 and 1003 (1995) of 5 July 1995,

Calling upon all States and others concerned to respect the sovereignty, territorial integrity and international borders of all States in the region,

Noting the measures taken by the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular those detailed in the report transmitted by the letter dated 6 September 1995 from the Secretary-General to the President of the Security Council,[29] to maintain the effective closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and noting with satisfaction that the cooperation of the Mission of the International Conference on the Former Yugoslavia with the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be generally good,

Reaffirming the importance of further efforts by the Federal Republic of Yugoslavia (Serbia and Montenegro) to enhance the effectiveness of the closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs,

Expressing its appreciation for the work of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and of the Mission of the International Conference to the Federal Republic of Yugoslavia (Serbia and Montenegro), and underlining the importance of the necessary resources being made available so as to strengthen the capacity of the Mission to carry out its tasks,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended until 18 March 1996;

2. *Decides also* that the arrangements referred to in paragraphs 13, 14 and 15 of resolution 988 (1995) shall continue to apply;

3. *Reaffirms its decision* to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3578th meeting.

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[26] S/PRST/1995/45.

[27] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/780, annex I.

[28] Ibid., annex II.

[29] Ibid., document S/1995/768.

Decisions

At its 3580th meeting, on 18 September 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[30]

> "The Security Council deplores the rapidly escalating military situation on the ground in the Republic of Bosnia and Herzegovina and expresses its deep concern about the plight of the civilian population resulting therefrom.
>
> "The Council demands that all the parties involved in offensive military activities and hostile acts in western Bosnia cease them immediately and respect fully the rights of the local population. It stresses the importance it attaches to intensified efforts to alleviate the plight of refugees and displaced persons and to the fullest cooperation in this regard by the parties with the United Nations Protection Force and the international humanitarian agencies. The Council reiterates that there can be no military solution to the conflict in the Republic of Bosnia and Herzegovina and urges all parties not to take military advantage of the present situation. It once again expresses its full support for the Agreed Basic Principles signed at Geneva on 8 September 1995,[28] which provide a basis for negotiations with the aim of achieving a lasting peace throughout the region.
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> "The Council furthermore deplores the death of one Danish peacekeeper and injury to nine others and expresses its condolences to the Government of Denmark and to the family of the peacekeeper who lost his life."

At its 3581st meeting, on 21 September 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

Resolution 1016 (1995)

of 21 September 1995

The Security Council,

Recalling all its earlier relevant resolutions and the statement by its President of 18 September 1995,[30]

Deeply concerned by the military situation on the ground in the Republic of Bosnia and Herzegovina and by the plight of the civilian population there, which constitutes a humanitarian crisis of significant proportions,

Especially concerned by the humanitarian consequences, as a result of the recent fighting, including loss of life and suffering among the civilian population, and a new flow of tens of thousands of refugees and displaced persons,

Reiterating its full support for the Agreed Basic Principles signed at Geneva on 8 September 1995,[28]

Gravely concerned about all offensives and hostile acts in the Republic of Bosnia and Herzegovina by the parties concerned, including those most recently undertaken,

1. *Notes* the assurances given by the Governments of the Republic of Bosnia and Herzegovina and the Republic of Croatia regarding offensive actions in western Bosnia and, while taking note of the reports that the offensive actions have slowed down, affirms the need for full compliance with the demands set out in the statement by its President of 18 September 1995;[30]

2. *Deplores* the casualties suffered by the Danish peacekeepers, expresses its condolences to the Government of Denmark and to the families of the peacekeepers who lost their lives, and demands that all parties fully respect the safety of United Nations personnel;

3. *Calls upon* all parties and others concerned to refrain from violence and hostile acts and to reach immediately a ceasefire and a cessation of hostilities throughout the territory of the Republic of Bosnia and Herzegovina;

4. *Calls upon* Member States involved in promoting an overall peaceful settlement in the region to intensify their efforts to this end with the parties to ensure that they take no advantage from the current situation and show utmost restraint;

5. *Demands* that the parties negotiate in good faith on the basis of the Agreed Basic Principles signed at Geneva on 8 September 1995[28] with the aim of achieving lasting peace throughout the region;

6. *Reiterates* that there can be no military solution to the conflict in the Republic of Bosnia and Herzegovina;

7. *Urges* all States and international humanitarian organizations to intensify their efforts to help to alleviate the plight of refugees and displaced persons;

8. *Requests* the Secretary-General to provide to the Council as soon as possible information on the humanitarian situation, including information available through the United Nations High Commissioner for Refugees and other sources;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3581st meeting.

Decisions

At its 3587th meeting, on 12 October 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

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[30] S/PRST/1995/47.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[31]

"The Security Council welcomes the entry into force of the ceasefire agreement of 5 October 1995 between the Bosnian parties.

"The Council takes this opportunity to express its gratitude to all those who negotiated the ceasefire agreement and to the United Nations Protection Force and others who, often at risk to their own lives, have made possible, with the cooperation of all the parties, the restoration of gas and electricity supplies to the inhabitants of Sarajevo, enabling them to live in more decent conditions.

"The Council demands that all parties fully comply with the provisions of the ceasefire agreement and refrain from any military activity that could jeopardize the peace process. It expresses its deepest concern at any operation that provokes large-scale movements of population detrimental to the peace process and a final and fair settlement. The Council is particularly concerned about new reports related to the movements of the displaced population in the areas of Sanski Most and Mrkonjic Grad.

"The Council reiterates its strong condemnation of all practices of ethnic cleansing wherever they occur and by whomsoever committed. It demands their immediate cessation and underlines the need to alleviate the sufferings caused by these acts. The Council urges all Bosnian parties to respect fully the rights of all communities, including their right to remain where they are or to return to their homes in safety.

"The Council is, in particular, deeply concerned about new reports concerning acts of ethnic cleansing committed in the Banja Luka and Prijedor areas, especially about reports, including those by international humanitarian organizations, that non-Serb men and boys of draft age are being taken away by Bosnian Serb and other paramilitary forces. The Council demands that those persons be immediately released.

"The Council demands that the Bosnian Serb party grant United Nations personnel and the representatives of the International Committee of the Red Cross immediate and unimpeded access to all the areas of concern. It also demands that representatives of the International Committee of the Red Cross be allowed to visit and register any persons detained against their will. The Council reiterates in this context the demands set out in resolution 1010 (1995) and in the statement by its President of 7 September 1995 on Srebrenica and Zepa.[24]

"The Council reaffirms that those who have committed or have ordered the commission of violations of international humanitarian law will be held individually responsible for them. The Council recalls in this context the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, pursuant to its resolution 827 (1993), and reiterates that all States shall cooperate fully with the International Tribunal and its organs.

"The Council will remain actively seized of the matter."

In a letter dated 30 October 1995,[32] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 9 October 1995 concerning the reassignment of your Special Representative to the Former Yugoslavia, Mr. Yasushi Akashi, and the appointment temporarily of Mr. Kofi Annan as your Special Representative to the Former Yugoslavia, who will in this context be in charge of relations with the North Atlantic Treaty Organization, effective 1 November 1995,[33] has been brought to the attention of the members of the Council. They take note of the decisions contained in your letter. In this connection, they express deep gratitude for the work carried out by Mr. Akashi under difficult conditions over nearly two years of service."

At its 3601st meeting, on 30 November 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Report of the Secretary-General pursuant to Security Council resolutions 981 (1995), 982 (1995) and 983 (1995) (S/1995/987)".[34]

Resolution 1026 (1995)

of 30 November 1995

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 982 (1995) of 31 March 1995 and 998 (1995) of 16 June 1995,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina,

Welcoming again the initialling of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia and the other parties thereto on 21 November 1995 at Dayton, Ohio,[35] signifying agreement between the parties to sign formally the Peace Agreement,

Stressing the need for all parties to comply fully with all provisions of the Peace Agreement and, prior to the entry into force of that agreement, the need for all parties to cooperate fully with the United Nations Protection Force and to maintain the current ceasefire agreement,

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[31] S/PRST/1995/52.

[32] S/1995/899.

[33] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/898.

[34] Ibid., *Supplement for October, November and December 1995*.

[35] Ibid., document S/1995/999.

Welcoming the positive role played by the United Nations Protection Force, and paying tribute to the personnel of the Force in the performance of their mandate,

Having considered the report of the Secretary-General of 23 November 1995,[36]

Reaffirming its determination to ensure the security and freedom of movement of the personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General of 23 November 1995;[36]

2. *Decides* to extend the mandate of the United Nations Protection Force for a period terminating on 31 January 1996, pending further action by the Council with regard to the implementation of the Peace Agreement;[35]

3. *Invites* the Secretary-General to keep the Council informed of developments in the peace process and to submit as soon as possible to the Council reports, containing the necessary information and recommendations, on aspects of the implementation of the Peace Agreement as they affect the United Nations in order to enable the Council to take a decision ensuring an orderly transfer of authority as envisaged in the Peace Agreement;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3601st meeting.

Decisions

At its 3603rd meeting, on 7 December 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[37]

"The Security Council expresses deep concern over the looting and burning of houses by the forces of the Croatian Defence Council in the area of Mrkonjic Grad and Sipovo, which have continued for some time, and it also notes with concern that similar acts have been committed by Bosnian Serb forces in other areas of Bosnia and Herzegovina. The Council is also deeply concerned by reports that the Croatian Defence Council is moving mine-laying equipment into the Mrkonjic Grad and Sipovo areas.

"The Council considers that such actions are dangerous and detrimental to the spirit of confidence essential for the implementation of the Peace Agreement on Bosnia and Herzegovina.[38]

"The Council demands that all such actions be stopped immediately and stresses the need for all parties to exercise maximum restraint and to demonstrate the cooperation essential for the successful implementation of the Peace Agreement."

At its 3607th meeting, on 15 December 1995, the Council decided to invite the representatives of Bosnia and Herzegovina, Brazil, Canada, Croatia, Egypt, Japan, Malaysia, Norway, Spain, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Report of the Secretary-General pursuant to Security Council resolution 1026 (1995) (S/1995/1031)".[34]

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item.

Resolution 1031 (1995)

of 15 December 1995

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia,

Reaffirming its commitment to a negotiated political settlement of the conflicts in the former Yugoslavia preserving the territorial integrity of all States there within their internationally recognized borders,

Welcoming the signing on 14 December 1995 at the Paris Peace Conference of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia and the other parties thereto,[35]

Welcoming also the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[39]

Welcoming further the conclusions of the Peace Implementation Conference held in London on 8 and 9 December 1995 (the London Conference),[40] and in particular its decision to establish a Peace Implementation Council and a Steering Board of that Council as referred to in those conclusions,

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[36] Ibid., document S/1995/987.

[37] S/PRST/1995/60.

[38] General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"); see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

[39] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1021.

[40] Ibid., document S/1995/1029.

Paying tribute to the International Conference on the Former Yugoslavia for its efforts aimed at achieving a peace settlement, and taking note of the decision of the London Conference that the Peace Implementation Council would subsume the International Conference on the Former Yugoslavia,

Having considered the report of the Secretary-General of 13 December 1995,[41]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations,

I

1. *Welcomes and supports* the Peace Agreement,[35] and calls upon the parties to fulfil in good faith the commitments entered into in that Agreement;

2. *Expresses its intention* to keep the implementation of the Peace Agreement under review;

3. *Welcomes* the progress made towards mutual recognition among the successor States to the former Socialist Federal Republic of Yugoslavia, within their internationally recognized borders;

4. *Reaffirms* its resolutions concerning compliance with international humanitarian law in the former Yugoslavia, reaffirms also that all States shall cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and its organs in accordance with the provisions of resolution 827 (1993) of 25 May 1993 and the statute of the International Tribunal, and shall comply with requests for assistance or orders issued by a Trial Chamber under article 29 of the statute, and calls upon them to allow the establishment of offices of the Tribunal;

5. *Recognizes* that the parties shall cooperate fully with all entities involved in the implementation of the peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal, and that the parties have in particular authorized the multinational force referred to in paragraph 14 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

6. *Welcomes* the agreement by the Organization for Security and Cooperation in Europe to adopt and put in place a programme of elections for Bosnia and Herzegovina, at the request of the parties to annex 3 of the Peace Agreement;

7. *Welcomes also* the parties' commitment, as specified in the Peace Agreement, to securing for all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, stresses that compliance with this commitment is of vital importance in achieving a lasting peace, and welcomes the invitation by the parties to the United Nations Commission on Human Rights, the Organization for Security and Cooperation in Europe, the United Nations High Commissioner for Human Rights and other intergovernmental or regional human rights missions or organizations to monitor closely the human rights situation in Bosnia and Herzegovina;

8. *Welcomes further* the parties' commitment to the right of all refugees and displaced persons freely to return to their homes of origin in safety, notes the leading humanitarian role which has been given by the Peace Agreement to the United Nations High Commissioner for Refugees, in coordination with other agencies involved and under the authority of the Secretary-General, in assisting with the repatriation and relief of refugees and displaced persons, and stresses the importance of repatriation being phased, gradual and orderly;

9. *Emphasizes* the importance of the creation of conditions conducive to the reconstruction and development of Bosnia and Herzegovina, and encourages Member States to provide assistance for the programme of reconstruction in that country;

10. *Underlines* the relationship, as described in the conclusions of the London Conference, between the fulfilment by the parties of their commitments in the Peace Agreement and the readiness of the international community to commit financial resources for reconstruction and development;

11. *Welcomes* the agreement of the parties to annex 1-B of the Peace Agreement that the establishment of progressive measures for regional stability and arms control is essential to creating a stable peace in the region, emphasizes the importance of all Member States supporting their efforts to this end, and supports the commitment of the Organization for Security and Cooperation in Europe to assist the parties with the negotiation and implementation of such measures;

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12. *Welcomes* the willingness of the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to assist the parties to the Peace Agreement by deploying a multinational implementation force;

13. *Notes* the invitation of the parties to the international community to send to the region for a period of approximately one year a multinational implementation force to assist in implementation of the territorial and other militarily related provisions of annex 1-A of the Peace Agreement;

14. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to establish a multinational Implementation Force under unified command and control in order to fulfil the role specified in annexes 1-A and 2 of the Peace Agreement;

15. *Authorizes* the Member States acting under paragraph 14 above to take all necessary measures to effect the implementation of and to ensure compliance with annex 1-A of the Peace Agreement, stresses that the parties shall be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Implementation Force as may be necessary to ensure implementation of that annex and the protection of the Force, and notes that the parties have consented to the taking of such measures by the Implementation Force;

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[41] Ibid., document S/1995/1031.

16. *Authorizes* the Member States acting under paragraph 14 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures, to be established by the Commander of the Implementation Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Authorizes* Member States to take all necessary measures, at the request of the Implementation Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

18. *Demands* that the parties respect the security and freedom of movement of the Implementation Force and other international personnel;

19. *Decides* that, with effect from the day on which the Secretary-General reports to the Council that the transfer of authority from the United Nations Protection Force to the Implementation Force has taken place, the authority to take certain measures conferred upon States by resolutions 770 (1992) of 13 August 1992, 781 (1992) of 9 October 1992, 816 (1993) of 31 March 1993, 836 (1993) of 4 June 1993, 844 (1993) of 18 June 1993 and 958 (1994) of 19 November 1994 shall be terminated, and that the provisions of resolution 824 (1993) of 6 May 1993 and subsequent resolutions regarding safe areas shall also be terminated from the same date;

20. *Requests* the Government of Bosnia and Herzegovina to cooperate with the Commander of the Implementation Force to ensure the effective management of the airports in Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

21. *Decides*, with a view to terminating the authorization granted in paragraphs 14 to 17 above one year after the transfer of authority from the United Nations Protection Force to the Implementation Force, to review by that date and to take a decision whether that authorization should continue, based upon the recommendations from the States participating in the Implementation Force and from the High Representative through the Secretary-General;

22. *Decides also* that the embargo imposed by resolution 713 (1991) of 25 September 1991 shall not apply to weapons and military equipment destined for the sole use of the Member States acting under paragraph 14 above, or of international police forces;

23. *Invites* all States, in particular those in the region, to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 14 above;

24. *Welcomes* the conclusion of the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and demands that the parties comply fully with those agreements;

25. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to report to the Council, through the appropriate channels and at least at monthly intervals, the first such report to be made not later than ten days following the adoption of the present resolution;

26. *Endorses* the establishment of a High Representative, following the request of the parties, who, in accordance with annex 10 of the Peace Agreement on civilian implementation, will monitor the implementation of the Peace Agreement and mobilize and, as appropriate, give guidance to and coordinate the activities of the civilian organizations and agencies involved, and agrees to the designation of Mr. Carl Bildt as High Representative;

27. *Confirms* that the High Representative is the final authority in theatre regarding interpretation of annex 10 of the Peace Agreement on civilian implementation;

28. *Decides* that all States concerned, and in particular those where the High Representative establishes offices, shall ensure that the High Representative enjoys such legal capacity as may be necessary for the exercise of his functions, including the capacity to contract and to acquire and dispose of real and personal property;

29. *Notes* that close cooperation between the Implementation Force, the High Representative and the agencies will be vital to ensure successful implementation;

30. *Affirms* the need for the implementation of the Peace Agreement in its entirety, and in this context stresses the importance it attaches to the urgent implementation of annex 11 of the Peace Agreement, decides to act expeditiously on the report of the Secretary-General recommending the establishment of a United Nations civilian police force with the tasks set out in that annex, together with a civilian office with the responsibilities described in the report of the Secretary-General,[42] and further decides that in the interim civilian police, demining, civil affairs and other personnel that might be required to carry out the tasks described in that report shall continue in theatre, notwithstanding the provisions of paragraphs 33 and 34 below;

31. *Stresses* the need for early action in Sarajevo to create confidence between the communities, and, to this end, requests the Secretary-General to ensure the early redeployment of elements of United Nations civilian police from the Republic of Croatia to Sarajevo;

32. *Requests* the Secretary-General to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the London Conference, on the implementation of the Peace Agreement;

III

33. *Decides* that the mandate of the United Nations Protection Force shall terminate on the date on which the Secretary-General reports to the Council that the transfer of authority from the United Nations Protection Force to the Implementation Force has taken place;

34. *Approves* the arrangements set out in the report of the Secretary-General[43] on the withdrawal of the United Nations Protection Force and headquarters elements from the United Nations Peace Forces, including the arrangements for the command and control of the United Nations Protection Force following the transfer of authority from it to the Implementation Force;

35. *Expresses its warmest appreciation* to all United Nations Protection Force personnel who have served the cause of peace in the former Yugoslavia, and pays tribute

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[42] Ibid., section III.D.

[43] Ibid., section II.

to those who have given their lives and those who have suffered serious injuries in that service;

36. *Authorizes* the Member States, acting under paragraph 14 above, to use all necessary means to assist in the withdrawal of the United Nations Protection Force;

37. *Calls upon* the parties to ensure the safety and security of the United Nations Protection Force, and confirms that the Force will continue to enjoy all existing privileges and immunities, including during the period of withdrawal;

38. *Requests* the Secretary-General to report to the Council when the withdrawal of the United Nations Protection Force is complete;

IV

39. *Recognizes* the unique, extraordinary and complex character of the present situation in Bosnia and Herzegovina, requiring an exceptional response;

40. *Decides* to remain seized of the matter.

Adopted unanimously at the 3607th meeting.

Decisions

In a letter dated 21 December 1995,[44] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have reviewed your report of 13 December 1995[45] on the implementation of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium.[46] The members of the Council agree with you that the agreement merits full international support for its effective and timely implementation.

"In the Agreement it is requested that the Council establish a transitional administration and authorize the deployment of an international force. The members of the Council, reaffirming resolution 1025 (1995) of 30 November 1995, stand ready to consider the option that both be components of a United Nations operation and, if the Council decides to establish such an operation, they stress the need for the necessary financial resources to be made available in a timely fashion.

"The members of the Council agree that the force should operate under an appropriate mandate and be provided with the necessary protection. They encourage you to accelerate discussions with possible troop contributors so that the force can be deployed at the earliest possible date.

"The members of the Council agree with your observation that implementation of the Agreement of 12 November 1995[46] will be complex and difficult. They recognize the danger that the two sides might have different interpretations of some of its provisions. They therefore welcome your decision to send an envoy to the region as soon as is convenient to discuss the implementation of the Agreement with the Government of Croatia and representatives of the local Serbs, and practical aspects of the establishment of a United Nations operation, including the possibilities for assistance from the host country in offsetting its cost."

At its 3612th meeting, on 21 December 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Report of the Secretary-General pursuant to Security Council resolution 1019 (1995) on violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most (S/1995/988)".[34]

Resolution 1034 (1995)

of 21 December 1995

The Security Council,

Reaffirming all its earlier relevant resolutions on the situation in Bosnia and Herzegovina, including resolution 1019 (1995) of 9 November 1995, and condemning the Bosnian Serb party's failure, despite repeated calls that it should do so, to comply with the demands contained therein,

Having considered the report of the Secretary-General of 27 November 1995 pursuant to resolution 1019 (1995) on violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most,[47]

Gravely concerned at the information contained in the above-mentioned report that there is overwhelming evidence of a consistent pattern of summary executions, rape, mass expulsion, arbitrary detentions, forced labour and large-scale disappearances,

Reiterating its strong support for the work of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to its resolution 827 (1993) of 25 May 1993,

Noting that the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"), initialled at Dayton, Ohio, on 21 November 1995,[35] provides that no person who is serving a sentence imposed by the International Tribunal and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal may stand as a candidate or hold any appointive, elective or other public office in Bosnia and Herzegovina,

Condemning the failure of the Bosnian Serb party to comply with its commitments in respect of giving access to displaced persons and to persons detained or reported missing,

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[44] S/1995/1053.

[45] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1028.

[46] Ibid., document S/1995/951.

[47] Ibid., document S/1995/988.

Reiterating its concern expressed in the statement by its President of 7 December 1995,[37]

Deeply concerned by the plight of hundreds of thousands of refugees and displaced persons as a result of hostilities in the former Yugoslavia,

1. *Strongly condemns* all violations of international humanitarian law and of human rights in the territory of the former Yugoslavia, demands that all concerned comply fully with their obligations in this regard, and reiterates that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts;

2. *Condemns in particular in the strongest possible terms* the violations of international humanitarian law and of human rights by Bosnian Serb and paramilitary forces in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most as described in the report of the Secretary-General of 27 November 1995[47] and showing a consistent pattern of summary executions, rape, mass expulsions, arbitrary detentions, forced labour and large-scale disappearances;

3. *Notes with the utmost concern* the substantial evidence referred to in the report of the Secretary-General that an unknown but large number of men in the area of Srebrenica, namely in Nova Kasaba-Konjevic Polje (Kaldrumica), Kravice, Rasica Gai, Zabrde and two sites in Karakaj, and possibly also in Bratunac and Potocari, have been summarily executed by Bosnian Serb and paramilitary forces, and condemns in the strongest terms the commission of such acts;

4. *Reiterates its strong support* for the efforts of the International Committee of the Red Cross in seeking access to displaced persons and to persons detained or reported missing, and calls upon all parties to comply with their commitments in respect of such access;

5. *Reaffirms its demand* that the Bosnian Serb party give representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international agencies immediate and unimpeded access to persons displaced and to persons detained or reported missing from Srebrenica, Zepa and the regions of Banja Luka and Sanski Most who are within the areas of Bosnia and Herzegovina under the control of Bosnian Serb forces and that the Bosnian Serb party permit representatives of the International Committee of the Red Cross (*a*) to visit and register any persons detained against their will, whether civilians or members of the forces of Bosnia and Herzegovina, and (*b*) to have access to any site it may deem important;

6. *Affirms* that the violations of humanitarian law and human rights in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most from July to October 1995 must be fully and properly investigated by the relevant United Nations and other international organizations and institutions;

7. *Notes* that the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to resolution 827 (1993), issued on 16 November 1995 indictments against the Bosnian Serb leaders Radovan Karadzic and Ratko Mladic for their direct and individual responsibilities for the atrocities committed against the Bosnian Muslim population of Srebrenica in July 1995;

8. *Reaffirms its demand* that the Bosnian Serb party give representatives of the relevant United Nations and other international organizations and institutions, including the Special Rapporteur of the Commission on Human Rights, immediate and unrestricted access to the areas in question, including for the purpose of the investigation of the atrocities;

9. *Underlines* in particular the urgent necessity for all the parties to enable the Prosecutor of the International Tribunal to gather effectively and swiftly the evidence necessary for the Tribunal to perform its task;

10. *Stresses* the obligations of all the parties to cooperate with and provide unrestricted access to the relevant United Nations and other international organizations and institutions so as to facilitate their investigations, and notes their commitment under the Peace Agreement[35] in this regard;

11. *Reiterates its demand* that all parties, and in particular the Bosnian Serb party, refrain from any action intended to destroy, alter, conceal or damage any evidence of violations of international humanitarian law and that they preserve such evidence;

12. *Also reiterates its demand* that all States, in particular those in the region of the former Yugoslavia, and all parties to the conflict in the former Yugoslavia, comply fully and in good faith with the obligations contained in paragraph 4 of resolution 827 (1993) to cooperate fully with the International Tribunal, and calls upon them to create the conditions essential for the Tribunal to perform the task for which it has been created, including the establishment of offices of the Tribunal when the latter deems it necessary;

13. *Further reiterates its demand* that all detention camps throughout the territory of Bosnia and Herzegovina should be immediately closed;

14. *Urges* the parties to ensure full respect for the norms of international humanitarian law and of human rights of the civilian population living in the areas in Bosnia and Herzegovina now under their control which under the Peace Agreement will be transferred to another party;

15. *Condemns* the widespread looting and destruction of houses and other property, in particular by the Croatian Defence Council forces in the area of Mrkonjic Grad and Sipovo, and demands that all sides immediately stop such action, investigate them and make sure that those who violated the law are held individually responsible in respect of such acts;

16. *Demands* that all sides refrain from laying mines, in particular in those areas now under their control which under the Peace Agreement will be transferred to another party;

17. *Urges* Member States to continue to assist the efforts of the United Nations, humanitarian agencies and non-governmental organizations under way in the former Yugoslavia to alleviate the plight of hundreds of thousands of refugees and displaced persons;

18. *Also urges* all the parties to the conflicts in the territory of the former Yugoslavia to cooperate fully with these efforts with a view to creating conditions conducive to the repatriation and return of refugees and displaced persons in safety and dignity;

19. *Requests* the Secretary-General to keep the Council regularly informed on progress reached in the investi-

gation of the violations of international humanitarian law referred to in the report mentioned above;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3612th meeting.

Decision

At its 3613th meeting, on 21 December 1995, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina

"Report of the Secretary-General pursuant to Security Council resolution 1026 (1995) (S/1995/1031 and Add.1)".[34]

Resolution 1035 (1995)

of 21 December 1995

The Security Council,

Recalling its resolution 1031 (1995) of 15 December 1995,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement")[35]

Having further considered the report of the Secretary-General of 13 December 1995,[41]

1. *Approves* the report of the Secretary-General and the proposals for involvement by the United Nations in the implementation of the Peace Agreement contained therein;

2. *Decides* to establish, for a period of one year from the transfer of authority from the United Nations Protection Force to the multinational Implementation Force, a United Nations civilian police force to be known as the International Police Task Force, to be entrusted with the tasks set out in annex 11 of the Peace Agreement, and a United Nations civilian office with the responsibilities set out in the report of the Secretary-General, and to that end endorses the arrangements set out in the report of the Secretary-General;

3. *Notes with satisfaction* that the International Police Task Force and the United Nations civilian office will be under the authority of the Secretary-General and subject to coordination and guidance as appropriate by the High Representative, welcomes the Secretary-General's intention to appoint a United Nations Coordinator, and requests the Secretary-General to submit to the Council, at least every three months, reports about the work of the International Police Task Force and of the civilian office accordingly;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 3613th meeting.

United Nations Protection Force[48]

Decisions

In a letter dated 16 January 1995,[49] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 12 January 1995 concerning the appointment of General Bernard Janvier of France as Force Commander of the United Nations Protection Force in succession to General Bertrand de Sauville de la Presle has been brought to the attention of the members of the Security Council.[50] They take note of the information contained in your letter and agree with the proposal mentioned therein."

In a letter dated 8 February 1995,[51] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 3 February 1995 concerning an addition to the list of Member States contributing military personnel to the United Nations Protection Force[52] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3512th meeting, on 31 March 1995, the Council decided to invite the representatives of Bosnia and Herzegovina, Croatia and the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

"United Nations Protection Force (UNPROFOR):

"Report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 947 (1994) (S/1995/222 and Corr.1 and 2)".[5]

Resolution 981 (1995)

of 31 March 1995

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia,

Having considered the report of the Secretary-General of 22 March 1995,[53]

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[48] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1994.

[49] S/1995/42.

[50] S/1995/41.

[51] S/1995/125.

[52] S/1995/124.

[53] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/222.

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, including its rights and obligations in respect of control over its international trade,

Welcoming the continuing efforts of representatives of the United Nations, the European Union, the Russian Federation and the United States of America to facilitate a negotiated solution to the conflict in the Republic of Croatia, and reaffirming its call upon the Government of the Republic of Croatia and the local Serb authorities to enter into the negotiations, urgently and without preconditions, for such a settlement, making full use of the plan presented to them by those representatives,

Recognizing that major provisions of the United Nations peacekeeping plan for the Republic of Croatia[54] remain to be implemented, in particular those regarding demilitarization of the areas under the control of the local Serb authorities, the return of all refugees and displaced persons to their homes and the establishment of local police forces to carry out their duties without discrimination against persons of any nationality in order to protect the human rights of all residents, and urging the parties to agree to their implementation,

Recognizing also that major provisions of relevant Security Council resolutions, in particular resolutions 871 (1993) of 4 October 1993 and 947 (1994) of 30 September 1994, still remain to be implemented,

Noting that the mandate of the United Nations Protection Force in the Republic of Croatia expires on 31 March 1995, in conformity with resolution 947 (1994),

Noting also the letter dated 17 March 1995 from the Permanent Representative of the Republic of Croatia to the United Nations regarding his Government's views on the establishment of a United Nations peacekeeping operation in the Republic of Croatia,[55]

Emphasizing that improved observance of human rights, including appropriate international monitoring thereof, is an essential step towards restoration of confidence between the parties and building a durable peace,

Reaffirming its determination to ensure the security and freedom of movement of personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General of 22 March 1995,[53] and in particular approves the arrangements in paragraph 84 thereof;

2. *Decides* to establish under its authority the United Nations Confidence Restoration Operation in Croatia, which shall be known as UNCRO, in accordance with paragraph 84 of the above-mentioned report, for a period terminating on 30 November 1995, and requests the Secretary-General to take the measures necessary to ensure its earliest possible deployment;

3. *Decides* that, in accordance with the report of the Secretary-General, and based on the United Nations peacekeeping plan for the Republic of Croatia,[54] relevant resolutions of the Security Council, the ceasefire agreement of 29 March 1994 between the Republic of Croatia and the local Serb authorities[56] and the economic agreement of 2 December 1994 concluded under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia,[57] the mandate of UNCRO shall include:

(*a*) Performing fully the functions envisaged in the ceasefire agreement of 29 March 1994;

(*b*) Facilitating the implementation of the economic agreement of 2 December 1994;

(*c*) Facilitating the implementation of all relevant Security Council resolutions, including the functions identified in paragraph 72 of the above-mentioned report;

(*d*) Assisting in controlling, by monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons over the international borders between the Republic of Croatia and the Republic of Bosnia and Herzegovina, and the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) at the border crossings for which UNCRO is responsible, as specified in the United Nations peacekeeping plan for the Republic of Croatia;

(*e*) Facilitating the delivery of international humanitarian assistance to the Republic of Bosnia and Herzegovina through the territory of the Republic of Croatia;

(*f*) Monitoring the demilitarization of the Prevlaka peninsula in accordance with resolution 779 (1992) of 6 October 1992;

4. *Requests* the Secretary-General to continue his consultations with all concerned on the detailed implementation of the mandate outlined in paragraph 3 above and to report to the Council not later than 21 April 1995 for its approval;

5. *Decides* that UNCRO shall be an interim arrangement to create the conditions that will facilitate a negotiated settlement consistent with the territorial integrity of the Republic of Croatia and guaranteeing the security and rights of all communities living in a particular area of the Republic of Croatia, irrespective of whether they constitute in this area a majority or minority;

6. *Decides* that Member States, acting nationally or through regional organizations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and the United Nations Theatre Force Commander, using the existing procedures which have been agreed with the Secretary-General, all necessary measures to extend close air support to the territory of the Republic of Croatia in defence of UNCRO personnel in the performance of the UNCRO mandate, and requests the Secretary-General to continue to report to the Council on any use of close air support;

7. *Emphasizes* the responsibility of the parties and others concerned in the Republic of Croatia for the security and safety of UNCRO, and in this context demands that all

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[54] Ibid., *Forty-sixth Year, Supplement for October, November and December 1991*, document S/23280, annex III.

[55] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/206.

[56] Ibid., *Forty-ninth Year, Supplement for January, February and March 1995, document S/1994/367*, annex.

[57] Ibid., *Supplement for October, November and December 1994*, document S/1994/1375.

parties and others concerned refrain from any acts of intimidation or violence against UNCRO;

8. *Calls upon* the Government of the Republic of Croatia and the local Serb authorities to refrain from the threat or use of force and to reaffirm their commitment to a peaceful resolution of their differences;

9. *Invites* the Secretary-General to report as appropriate and not less than every four months on progress towards a peaceful political settlement and the situation on the ground, including the ability of UNCRO to implement its mandate as described above, and undertakes in this connection to examine without delay any recommendations that the Secretary-General may make in his reports and adopt appropriate decisions;

10. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to UNCRO in the performance of its mandate;

11. *Stresses* the importance of the necessary arrangements, including agreements on the status of forces and other personnel, being concluded by the Republic of Croatia, calls upon it to agree to such arrangements without delay, and requests the Secretary-General to inform the Council of progress on this issue in the report mentioned in paragraph 4 above;

12. *Urges* the Government of the Republic of Croatia to provide suitable radio broadcasting frequencies and television broadcasting slots at no cost to the United Nations as described in paragraphs 47 to 51 of the report of the Secretary-General of 22 March 1995;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 3512th meeting.

Resolution 982 (1995)

of 31 March 1995

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia, and reaffirming in this context its resolution 947 (1994) of 30 September 1994 on the mandate of the United Nations Protection Force and subsequent relevant resolutions,

Having considered the report of the Secretary-General of 22 March 1995,[53]

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina,

Welcoming the continuing efforts of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia,

Welcoming also the efforts of Member States, in particular those of the Contact Group, and emphasizing the utmost importance of the work of the Contact Group in the overall peace process in the area,

Welcoming further the acceptance by the Government of the Republic of Bosnia and Herzegovina of the Contact Group peace plan,

Welcoming the agreements between the Bosnian parties on a ceasefire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina, concluded on 23 and 31 December 1994,[3] and the essential role the United Nations Protection Force plays in the implementation of these agreements, and stressing the importance it places thereupon,

Wishing to encourage the efforts of the United Nations Protection Force, as part of its activities to facilitate an overall settlement of the conflict in the Republic of Bosnia and Herzegovina and as detailed in paragraphs 30 to 32 of the above-mentioned report of the Secretary-General, to help the parties to implement the Washington agreements regarding the Federation of Bosnia and Herzegovina,[58]

Recognizing the need for Member States to take appropriate steps to enhance the capacity of the United Nations Protection Force in the Republic of Bosnia and Herzegovina to execute its mandate as set out in the relevant resolutions of the Security Council, including providing the Secretary-General with all the resources authorized by previous resolutions of the Security Council,

Reiterating the importance of maintaining Sarajevo, the capital of the Republic of Bosnia and Herzegovina, as a united city and a multicultural, multi-ethnic and plurireligious centre, and noting in this context the positive contribution that agreement between the parties on the demilitarization of Sarajevo could make to this end, to the restoration of normal life in Sarajevo and to achieving an overall settlement, consistent with the Contact Group peace plan,

Noting that the United Nations Protection Force plays an essential role in preventing and containing hostilities, thus creating the conditions for achieving an overall political settlement, and paying tribute to all Force personnel, especially those who have given their lives for the cause of peace,

Noting also that the mandate of the United Nations Protection Force expires on 31 March 1995, in conformity with resolution 947 (1994),

Noting further the letter dated 29 March 1995 from the Permanent Representative of the Republic of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General,[59]

Noting the letter dated 17 March 1995 from the Permanent Representative of the Republic of Croatia to the United Nations regarding his Government's views on the continued presence of the United Nations Protection Force in the Republic of Croatia,[55]

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[58] "Framework Agreement establishing a Federation in the Area of the Republic of Bosnia and Herzegovina with a Majority Bosniac and Croat Population" and "Outline of a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation", signed in Washington on 1 March 1994; see *Official Records of the Security Council, Forty-ninth Year, Supplement for January, February and March 1994*, document S/1994/255.

[59] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/245.

Paying tribute to the United Nations Protection Force personnel in the performance of the mandate of the Force, in particular in assisting the delivery of humanitarian assistance and monitoring the ceasefires,

Emphasizing that improved observance of human rights, including appropriate international monitoring thereof, is an essential step towards restoration of confidence between the parties and building a durable peace,

Reaffirming its determination to ensure the security of the United Nations Protection Force and freedom of movement for all its missions, and, to these ends, acting under Chapter VII of the Charter of the United Nations, as regards the Force in the Republic of Croatia and in the Republic of Bosnia and Herzegovina,

1. *Welcomes* the report of the Secretary-General of 22 March 1995,[53] and in particular approves the arrangements contained in paragraph 84 thereof;

2. *Decides* to extend the mandate of the United Nations Protection Force in the Republic of Bosnia and Herzegovina for an additional period terminating on 30 November 1995, and further decides that all previous relevant resolutions relating to the Force shall continue to apply;

3. *Authorizes* the Secretary-General to redeploy before 30 June 1995 all United Nations Protection Force personnel and assets from the Republic of Croatia with the exception of those whose continued presence in the Republic of Croatia is required for the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, or for the functions referred to in paragraphs 4 and 5 below;

4. *Decides* that the United Nations Protection Force shall continue to perform fully the functions envisaged in the implementation of the ceasefire agreement of 29 March 1994[56] and the economic agreement of 2 December 1994[57] between the Republic of Croatia and the local Serb authorities and all relevant Security Council resolutions, including the functions identified in paragraph 72 of the report of the Secretary-General of 22 March 1995, and to facilitate the delivery of international humanitarian assistance to the Republic of Bosnia and Herzegovina through the territory of the Republic of Croatia until the effective deployment of UNCRO or 30 June 1995, whichever is sooner;

5. *Decides* that the United Nations Protection Force shall retain its existing support structures in the Republic of Croatia, including the operation of its headquarters;

6. *Emphasizes* the responsibility of the parties and others concerned in the Republic of Croatia and the Republic of Bosnia and Herzegovina for the security and safety of the United Nations Protection Force, and in this context demands that all parties and others concerned refrain from any acts of intimidation or violence against the Force;

7. *Reiterates* the importance it attaches to full compliance with the agreements between the Bosnian parties on a ceasefire and on a complete cessation of hostilities in the Republic of Bosnia and Herzegovina,[3] calls upon them to agree to a further extension and implementation of these agreements beyond 30 April 1995 and to use that period to negotiate an overall peaceful settlement on the basis of the acceptance of the Contact Group peace plan as a starting point, and further calls upon the Bosnian Serb party to accept this;

8. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to the United Nations Protection Force in the performance of its mandate;

9. *Calls upon* all parties and others concerned to comply fully with all Security Council resolutions regarding the situation in the former Yugoslavia to create the conditions that would facilitate the full implementation of the mandate of the United Nations Protection Force;

10. *Notes with satisfaction* the progress made in the discussions between the Government of the Republic of Bosnia and Herzegovina and the United Nations referred to in paragraph 49 of the report of the Secretary-General of 22 March 1995, and urges the Government of the Republic of Bosnia and Herzegovina to provide suitable radio broadcasting frequencies and television broadcasting slots at no cost to the United Nations for the purposes described in paragraphs 47 to 51 of that report;

11. *Requests* the Secretary-General to keep the Council regularly informed of progress with regard to the implementation of the mandate of the United Nations Protection Force and to report, as necessary, on any developments on the ground, the attitude of the parties and other circumstances affecting the mandate of the Force, and in particular to report within eight weeks of the adoption of the present resolution, taking into account, *inter alia*, the concerns raised by the members of the Council and issues raised by the Government of the Republic of Bosnia and Herzegovina;

12. *Urges* the Government of the Republic of Bosnia and Herzegovina to implement fully the provisions of the status-of-forces agreement of 15 May 1993 between that Government and the United Nations;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 3512th meeting.

Resolution 983 (1995)

of 31 March 1995

The Security Council,

Recalling its resolution 795 (1992) of 11 December 1992 and all subsequent relevant resolutions,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Recalling its concern about possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory,

Welcoming the positive role played by the United Nations Protection Force in the former Yugoslav Republic of Macedonia, and paying tribute to the personnel of the Force in the performance of its mandate in the former Yugoslav Republic of Macedonia, *Taking note* of the report of the Secretary-General of 22 March 1995,[53]

1. *Welcomes* the report of the Secretary-General of 22 March 1995,[53] and in particular approves the arrangements contained in paragraph 84 thereof;

2. *Decides* that the United Nations Protection Force within the former Yugoslav Republic of Macedonia shall be known as the United Nations Preventive Deployment Force, with the mandate set out in paragraph 85 of the report of the Secretary-General of 22 March 1995, and that the mandate of the United Nations Preventive Deployment Force shall continue for a period terminating on 30 November 1995;

3. *Urges* the United Nations Preventive Deployment Force to continue the current cooperation between the United Nations Protection Force and the mission of the Organization for Security and Cooperation in Europe;

4. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to the United Nations Preventive Deployment Force in the performance of its mandate;

5. *Requests* the Secretary-General to keep the Council regularly informed of any developments on the ground and other circumstances affecting the mandate of the United Nations Preventive Deployment Force;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 3512th meeting.

Decision

At its 3543rd meeting, on 16 June 1995, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Croatia, Egypt, Malaysia and Turkey to participate, without vote, in the discussion of the item entitled:

"United Nations Protection Force (UNPROFOR)

"Report of the Secretary-General pursuant to Security Council resolution 982 (1995) and 987 (1995) (S/1995/444)[9]

"Letter dated 9 June 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/470 and Add.1)".[9]

Resolution 998 (1995)

of 16 June 1995

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming the mandate of the United Nations Protection Force as referred to in resolution 982 (1995) of 31 March 1995 and the need for its full implementation,

Having considered the report of the Secretary-General of 30 May 1995,[60]

Having considered also the letter dated 9 June 1995 from the Secretary-General to the President of the Security Council and the annex thereto,[61]

Noting that the rapid reaction force referred to in the above-mentioned letter will be an integral part of the existing United Nations peacekeeping operation and that the status of the United Nations Protection Force and its impartiality will be maintained,

Deeply concerned by the continuing armed hostilities in the territory of the Republic of Bosnia and Herzegovina,

Expressing its deep regret that the situation in the Republic of Bosnia and Herzegovina has continued to deteriorate and that the parties were not able to agree to a further ceasefire following the breakdown of the ceasefire agreement of 23 December 1994[3] and its subsequent expiration on 1 May 1995,

Gravely concerned that the regular obstruction of deliveries of humanitarian assistance and the denial of the use of the Sarajevo airport by the Bosnian Serb side threaten the ability of the United Nations in Bosnia and Herzegovina to carry out its mandate,

Condemning in the strongest possible terms all attacks by the parties on United Nations Protection Force personnel,

Condemning also the increasing attacks on the civilian population by Bosnian Serb forces,

Determined to enhance the protection of the United Nations Protection Force and to enable it to carry out its mandate,

Noting the letter dated 14 June 1995 from the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council, welcoming the reinforcement of the United Nations Protection Force,[62]

Stressing the importance at this juncture of renewed efforts to achieve an overall peaceful settlement,

Underlining once again the urgent need for acceptance by the Bosnian Serb party of the Contact Group peace plan as a starting point, opening the way to the negotiation of such an overall peaceful settlement,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming further that the Republic of Bosnia and Herzegovina, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Determining that the situation in the former Yugoslavia continues to be a threat to international peace and security,

Reaffirming its determination to ensure the security of the United Nations Peace Forces/United Nations Protection Force and freedom of movement for the accomplishment of all its missions, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Bosnian Serb forces release immediately and unconditionally all remaining detained United Nations Protection Force personnel, and further demands that all parties fully respect the safety of Force personnel and others engaged in the delivery of humanitarian assistance and ensure their complete freedom of movement;

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[60] Ibid., *Supplement for April, May and June 1995*, document S/1995/444.

[61] Ibid., documents S/1995/470 and Add.1.

[62] Ibid., document S/1995/483.

2. *Emphasizes* that there can be no military solution to the conflict, stresses the importance it attaches to vigorous pursuit of a political settlement, and reiterates its demand that the Bosnian Serb party accept the Contact Group peace plan as a starting point;

3. *Calls upon* the parties to agree without further delay to a ceasefire and a complete cessation of hostilities in the Republic of Bosnia and Herzegovina;

4. *Demands* that all parties allow unimpeded access for humanitarian assistance to all parts of the Republic of Bosnia and Herzegovina and, in particular, to the safe areas;

5. *Demands also* that the Bosnian Serb forces comply immediately with the agreement of 5 June 1992[14] and ensure unimpeded access by land to Sarajevo;

6. *Demands further* that the parties respect fully the status of the safe areas and, in particular, the need to ensure the safety of the civilian population therein;

7. *Underlines* the need for a mutually agreed demilitarization of the safe areas and their immediate surroundings and the benefits this would bring to all parties in terms of the cessation of attacks on the safe areas and of launching military attacks therefrom;

8. *Encourages*, in this context, the Secretary-General further to intensify efforts aimed at reaching agreement with the parties on the modalities for demilitarization, taking particular account of the need to ensure the safety of the civilian population, and calls upon the parties to cooperate fully with these efforts;

9. *Welcomes* the letter dated 9 June 1995 from the Secretary-General on the reinforcement of the United Nations Protection Force and the establishment of a rapid reaction capacity to enable the United Nations Peace Forces/United Nations Protection Force to carry out its mandate;[61]

10. *Decides* accordingly to authorize an increase in United Nations Peace Forces/United Nations Protection Force personnel, acting under the present mandate and on the terms set out in the above-mentioned letter, by up to 12,500 additional troops, the modalities of financing to be determined later;

11. *Authorizes* the Secretary-General to carry forward the implementation of paragraphs 9 and 10 above, maintaining close contact with the Government of the Republic of Bosnia and Herzegovina and others concerned;

12. *Requests* the Secretary-General, in taking any decisions with respect to the deployment of United Nations Protection Force personnel, to take full account of the need to enhance their security and minimize the dangers to which they might be exposed;

13. *Decides* to remain actively seized of the matter.

Adopted at the 3543rd meeting by 13 votes to none, with 2 abstentions (China, Russian Federation).

Decisions

In a letter dated 17 July 1995,[63] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 14 July 1995 regarding the addition of a new country to the list of Member States that contribute troops to the peacekeeping forces established pursuant to Security Council resolutions 981 (1995), 982 (1995) and 983 (1995)[64] has been brought to the attention of the members of the Council, who are in agreement with the proposal contained in your letter."

At its 3568th meeting, on 19 August 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled:

"United Nations Protection Force (UNPROFOR)

"Letter dated 17 August 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/707)".[19]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[65]

"The Security Council is deeply concerned by the contents of the letter dated 17 August 1995 from the Secretary-General regarding the continued impediments to the functioning and deployment of the rapid reaction force established by resolution 998 (1995) of 16 June 1995.[66]

"The Council reaffirms in this regard that the rapid reaction force is an integral part of the United Nations Peace Forces/United Nations Protection Force and that its deployment is crucial for the strengthening of the capacity of the United Nations Protection Force to carry out its mandate in the Republic of Bosnia and Herzegovina. It shares the Secretary-General's view that the existing status-of-forces agreements constitute an appropriate and sufficient basis for the presence of the United Nations Peace Forces/United Nations Protection Force, including the rapid reaction force.

"The Council is deeply concerned at the implications of the continued impediments to the functioning of the rapid reaction force for the effectiveness of the United Nations mission in the Republic of Bosnia and Herzegovina. It calls upon the Governments of the Republic of Croatia and the Republic of Bosnia and Herzegovina immediately to remove all impediments and to give clear undertakings concerning the freedom of movement and provision of facilities for the rapid reaction force, in order that it may perform its tasks without further delay. It further calls upon them to resolve forthwith within the framework of the existing status-of-forces agreements any outstanding difficulties with the relevant United Nations authorities.

"The Council supports fully the efforts of the Secretary-General in this matter and will return to this question in the light of a further report which the Council requests the Secretary-General to submit no later than 24 August 1995."

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[63] S/1995/586.

[64] S/1995/585.

[65] S/PRST/1995/40.

[66] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/707.

The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia[67]

Decisions

At its 3491st meeting, on 17 January 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

> "The situation prevailing in and adjacent to the United Nations Protected Areas in Croatia
>
> "Letter dated 12 January 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (S/1995/28)".[5]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[68]

"The Security Council, which has begun its consideration of the report of the Secretary-General of 14 January 1995 submitted pursuant to resolution 947 (1994),[69] has learned with concern of the position adopted by the Republic of Croatia on the extension of the mandate of the United Nations Protection Force in Croatia beyond 31 March 1995, as set out in the letter dated 12 January 1995 from the Permanent Representative of the Republic of Croatia to the United Nations addressed to the Secretary-General.[70] It is particularly concerned about the wider implications of this development for the peace process throughout the former Yugoslavia.

"The Council reiterates its commitment to the sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders. It understands the concerns of the Croatian Government about the lack of implementation of major provisions of the United Nations peacekeeping plan for Croatia.[54] It will not accept the status quo becoming an indefinite situation. It believes, however, that the continued presence of the United Nations Protection Force in the Republic of Croatia is of vital importance for regional peace and security and that the United Nations, in general, and the Force, in particular, have a positive role to play in achieving the further implementation of the peacekeeping plan and bringing about a settlement which ensures full respect for the territorial integrity and sovereignty of Croatia. It recalls the important role the United Nations Protection Force plays in helping to sustain the ceasefire in Croatia, facilitating humanitarian activities and international relief work and supporting implementation of the economic agreement of 2 December 1994.[57]

"It is in that perspective that the Council hopes that discussions over the weeks ahead will lead to a re-examination of the position now taken in relation to the continuing role of the United Nations Protection Force in the Republic of Croatia.

"Meanwhile, the Council calls upon all parties and others concerned to avoid any action or statement which might lead to an increase in tension. It welcomes the conclusion, under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, of the economic agreement of 2 December 1994 and urges the parties to continue, and accelerate, its implementation; it notes the need for adequate international financial support and encourages the international community to respond to this need. It calls for the intensification in the coming weeks of all these efforts to consolidate this achievement and to bring about a political settlement in Croatia and it calls upon the parties to cooperate with these efforts and to negotiate in earnest to that end.

"The Council affirms its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders and stresses the importance it attaches to the mutual recognition thereof."

The situation in Croatia[67]

Decisions

At its 3498th meeting, on 7 February 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[71]

"The Security Council reiterates its support for the efforts to bring about a political settlement in the Republic of Croatia which ensures full respect for the sovereignty and territorial integrity of the Republic of Croatia and which guarantees the security and rights of all communities living in a particular area irrespective of whether they constitute in this area the majority or a minority.

"The Council strongly supports the recent efforts of representatives of the International Conference on the Former Yugoslavia, the European Union, the Russian Federation and the United States of America aimed at achieving a political settlement in the Republic of Croatia. The Council calls upon the Government of the Republic of Croatia and the local Serb authorities in the United Nations Protected Areas to enter urgently and without preconditions into negotiations on such a settlement, benefiting from proposals now made to them as part of these efforts. It calls upon all other relevant parties to support this process.

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[67] Resolutions or decisions on this question were also adopted by the Council in 1993.

[68] S/PRST/1995/2.

[69] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/38.

[70] Ibid., document S/1995/28.

[71] S/PRST/1995/6.

"The Council reaffirms its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders and stresses the importance it attaches to the mutual recognition thereof.

"The Council reaffirms its view that the continued and effective presence of the United Nations Protection Force in the Republic of Croatia is of vital importance for regional peace and security and expresses its desire that discussions over the weeks ahead will lead the Government of the Republic of Croatia to re-examine its position taken on 12 January 1995 in relation to the continuing role of the Force in the Republic of Croatia."

At its 3527th meeting, on 28 April 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia:

"Report of the Secretary-General submitted pursuant to paragraph 4 of Security Council resolution 981 (1995) (S/1995/320)".[9]

Resolution 990 (1995)

of 28 April 1995

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia, in particular resolutions 981 (1995) and 982 (1995) of 31 March 1995,

Having considered the report of the Secretary-General of 18 April 1995,[72]

Bearing in mind the importance of any information relevant to the implementation of all its previous resolutions being made available to the Secretary-General,

Reaffirming its determination to ensure the security and freedom of movement of personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General,[72] and in particular approves the arrangements in paragraphs 11 to 28 thereof for the implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO;

2. *Decides* to authorize the deployment of UNCRO as set out in paragraph 29 of the above-mentioned report;

3. *Calls upon* the Government of the Republic of Croatia and the local Serb authorities to cooperate fully with UNCRO in the implementation of its mandate;

4. *Expresses its concern* that an agreement on the status of forces and other personnel has not yet been signed, calls once again upon the Government of the Republic of Croatia to conclude expeditiously such an agreement, and requests the Secretary-General to report to the Council no later than 15 May 1995;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3527th meeting.

Decisions

At its 3529th meeting, on 1 May 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[73]

"The Security Council is deeply concerned by the resumption of hostilities in the Republic of Croatia over the last few days.

"The Council demands that the Government of the Republic of Croatia put an end immediately to the military offensive launched by its forces in the area of Western Slavonia known as Sector West, which started on the morning of 1 May 1995 in violation of the ceasefire agreement of 29 March 1994.[56]

"The Council also demands that the parties respect the economic agreement signed between them on 2 December 1994[57] and, in particular, take all necessary steps to ensure the safety and security of the Zagreb-Belgrade highway and its immediate environs.

"The Council urges the parties to cease hostilities and comply with the existing ceasefire agreement.

"The Council calls upon the parties to respect fully the safety and freedom of movement of all United Nations and European Community Monitoring Mission personnel in the area concerned, in the area known as Sector South and elsewhere, and therefore to remove all restrictions placed on United Nations personnel.

"The Council urges the parties, in order to achieve these objectives, to accept without delay the proposals put to them by the Special Representative of the Secretary-General.

"The Council expresses its full support to the Secretary-General and his Special Representative in their efforts. The Council further requests the Secretary-General to keep it informed of developments on the ground as well as in the ongoing talks."

At its 3531st meeting, on 4 May 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

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[72] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/320.

[73] S/PRST/1995/23.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[74]

"The Security Council is deeply concerned at the continuation of hostilities in the Republic of Croatia.

"The Council reaffirms in this context the statement by its President of 1 May 1995[73] in all its aspects and demands that the parties comply with the requirements set out therein immediately and in full.

"The Council condemns the incursions into the zone of separation by the forces of the Government of the Republic of Croatia in Sectors North and South and by both sides in Sector East. It demands that the forces in question withdraw immediately.

"The Council also condemns the bombardment of Zagreb and other centres of civilian population by the forces of the local Serb authorities and demands that they cease immediately.

"The Council further condemns acts of harassment and intimidation against United Nations personnel and reminds the parties of their obligations to respect such personnel at all times and to ensure their safety, security and freedom of movement.

"The Council calls upon the parties to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross in protecting and assisting the local civilian population and any displaced persons. The Council is deeply concerned by reports that the human rights of the Serb population of Western Slavonia are being violated. It demands that the Government of the Republic of Croatia respect fully the rights of the Serb population concerned, in conformity with internationally recognized standards.

"The Council insists that the authority of UNCRO be re-established and respected in Sector West and other areas affected by the hostilities.

"The Council demands that the parties act in accordance with the proposals put to them by the Special Representative of the Secretary-General, that they cease all hostilities immediately and that they cooperate fully with the Special Representative of the Secretary-General and with UNCRO.

"The Council further calls upon the parties to enter without delay into the discussions at Geneva to which they have been invited by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

"The Council will remain actively seized of the matter and will be ready to consider further steps as necessary."

In a letter dated 11 May 1995,[75] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to refer to your letter dated 5 May 1995[76] containing suggestions for the implementation of Security Council resolutions 981 (1995), 982 (1995) and 983 (1995) of 31 March and 990 (1995) of 28 April 1995, by which the Council established the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, the United Nations Protection Force and the United Nations Preventive Deployment Force and approved the recommendation, in paragraph 84 of your report,[53] for the establishment of United Nations Peace Forces headquarters.

"The members of the Council have taken note of your suggestions regarding the composition of the military contingents of UNCRO, the United Nations Protection Force and the United Nations Preventive Deployment Force and the proposed composition of the United Nations Peace Forces headquarters, as well as your desire to maintain the United Nations military observers as currently composed, to be deployed, as needed, in the three zones of operation of UNCRO, the United Nations Protection Force and the United Nations Preventive Deployment Force. They agree with the proposal contained in your letter."

At its 3537th meeting, on 17 May 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

Resolution 994 (1995)

of 17 May 1995

The Security Council,

Recalling all its previous resolutions on the conflicts in the territory of the former Yugoslavia, in particular resolutions 981 (1995) and 982 (1995) of 31 March 1995 and 990 (1995) of 28 April 1995,

Deeply concerned that the objectives set out in the statements by the President of the Security Council of 1 May[73] and 4 May 1995[74] have not been implemented in all their aspects and that the agreement reached by the parties on 7 May 1995 through the mediation of the United Nations Peace Forces headquarters has been violated, in particular regarding the withdrawal of forces from the zones of separation,

Emphasizing the necessity for full compliance by the parties with the ceasefire agreement of 29 March 1994,[56] and stressing the importance of such compliance for the implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO,

Emphasizing further that withdrawal from the zones of separation is a condition for the implementation of the mandate of UNCRO,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, stressing the importance it attaches to the mutual recognition thereof, and in this context welcoming all international efforts to facilitate a negotiated solution to the conflict in the Republic of Croatia,

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[74] S/PRST/1995/26.

[75] S/1995/387.

[76] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/386.

Emphasizing that full observance of human rights, including appropriate international monitoring thereof, in particular in the area of Western Slavonia known as Sector West, is an essential step towards restoration of confidence between the parties and building a durable peace,

Condemning in the strongest terms all unacceptable acts which were directed at the personnel of the United Nations peacekeeping forces, and determined to obtain strict respect of the status of such personnel in the Republic of Croatia as provided for in the Agreement between the United Nations and the Government of the Republic of Croatia signed on 15 May 1995,

Reaffirming its determination to ensure the security and freedom of movement of the personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the statements by the President of the Security Council of 1 May[74] and 4 May 1995[75] issued as a result of the military offensive launched by the forces of the Government of Croatia in the area of Western Slavonia known as Sector West on 1 May 1995 in violation of the ceasefire agreement of 29 March 1994;[56]

2. *Notes with satisfaction* the steps taken so far to meet the requirements set out in the above-mentioned statements, but demands that the parties complete without further delay the withdrawal of all their troops from the zones of separation and refrain from any further violations of those zones;

3. *Stresses* the need for the early re-establishment of the authority of UNCRO, in accordance with its mandate;

4. *Requests* the Secretary-General to make the necessary arrangements in order to ensure full deployment of UNCRO, after the withdrawal of the troops of the parties, as provided for in its mandate established by resolutions 981 (1995) and 990 (1995);

5. *Demands* that the status and the mandate of UNCRO as well as the safety and security of its personnel be respected;

6. *Demands also* that the Government of the Republic of Croatia respect fully the rights of the Serb population, including their freedom of movement, and allow access to this population by international humanitarian organizations, in conformity with internationally recognized standards;

7. *Requests* the Secretary-General, in cooperation with the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the International Committee of the Red Cross and other relevant international humanitarian institutions, to assess the humanitarian situation of the local Serb population in Sector West, including the problem of refugees, and to report thereon as soon as possible;

8. *Fully supports* the efforts of the Special Representative of the Secretary-General to achieve the objectives outlined in the statements by the President of the Security Council of 1 and 4 May 1995, and requests the parties to cooperate fully to this end;

9. *Calls upon* the parties to respect the economic agreement signed by them on 2 December 1994,[57] and in particular to take all necessary steps to ensure the safety and security of the Zagreb-Belgrade highway and its immediate environs as provided for in that agreement;

10. *Demands* that the parties refrain from taking any further military measures or actions that could lead to the escalation of the situation, and warns that in the event of failure to comply with this demand it will consider further steps needed to ensure such compliance;

11. *Requests* the Secretary-General to report to the Council for its consideration within two weeks on the implementation of the provisions of the present resolution, including on the modalities for the implementation of the mandate of UNCRO in Sector West;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3537th meeting.

Decisions

At its 3545th meeting, on 16 June 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General submitted pursuant to Security Council resolution 994 (1995) (S/1995/467)".[9]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[77]

> "The Security Council has considered the report of the Secretary-General of 9 June 1995 submitted pursuant to its resolution 994 (1995) of 17 May 1995.[78] It is concerned at the situation described therein and at the continuing failure of the parties to cooperate satisfactorily with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and to comply fully with the demands of the Council. It condemns in particular the continuation of offensive actions and the intimidation of UNCRO personnel in violation of resolution 994 (1995).
>
> "The Council looks to the parties to cooperate fully and unconditionally with UNCRO in the performance of its mandate and to ensure the safety, security and freedom of movement of its personnel. The Council demands that they fulfil their commitment under the ceasefire agreement of 29 March 1994,[56] in particular in respect of the withdrawal of all forces and heavy weapons from the zones of separation, and fully implement the agreement of 2 December 1994 on economic confidence-building measures.[57] It calls upon the parties, and in particular the Government of Croatia, to cease all military action in and around Sector South. It also calls upon all parties to respect fully the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina and to stop any action that extends the conflict across this border, since this is in

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[77] S/PRST/1995/30.

[78] *Official Records of the Security Council, Supplement for April, May and June 1995*, document S/1995/467.

violation of the Council's resolutions. It reiterates its warning that in the event of failure to comply with the demand in its resolution 994 (1995) that the parties refrain from taking any further military measures or actions that could lead to the escalation of the situation, it will consider further steps needed to ensure such compliance.

"The Council requests the Committee established pursuant to resolution 724 (1991) of 15 December 1991 to continue to investigate, in accordance with its mandate, reports of violations of resolution 713 (1991) of 25 September 1991.

"The Council welcomes the agreement of the Government of Croatia to a continued UNCRO presence in the area of Western Slavonia known as Sector West for the purposes of implementing its mandate, in particular in respect of human rights, to which it continues to attach great importance. It endorses the Secretary-General's view as to the necessity for reconciliation and confidence-building in that Sector. It stresses the importance it attaches to full respect for the human rights of the Serb population there. It encourages the Secretary-General to continue his coordination with the United Nations High Commissioner for Human Rights as well as other international organizations and agencies in this regard.

"The Council notes the Secretary-General's judgement that completion of the redeployment of United Nations peacekeeping personnel in the Republic of Croatia by 30 June 1995 envisaged in its resolution 982 (1995) of 31 March 1995 is no longer possible. It requests the Secretary-General to proceed as expeditiously as possible with this redeployment with the aim of fulfilling all tasks under the mandate of UNCRO. It demands that the parties cooperate with the efforts of UNCRO to implement fully its mandate.

"The Council notes the fact that both parties have stated their desire that the peacekeeping mission should continue and that they are seeking the assistance of UNCRO. It welcomes the Secretary-General's intention to monitor closely their cooperation with UNCRO and their compliance with the ceasefire agreement of 29 March 1994, and requests him to keep the Council fully informed. Such cooperation and compliance are essential for the implementation of the mandate of UNCRO and for progress towards a negotiated settlement which respects fully the sovereignty and territorial integrity of the Republic of Croatia and which guarantees the security and rights of all communities.

"The Council could not countenance moves by the local Serb authorities in the Republic of Croatia and the Republic of Bosnia and Herzegovina to establish a union between them, since this would be inconsistent with the Council's commitment to the sovereignty and territorial integrity of the Republic of Croatia and the Republic of Bosnia and Herzegovina.

"The Council stresses that there can be no military solution to the conflict and calls upon the parties to reaffirm their commitment to a peaceful resolution of their differences.

"The Council notes with distress the loss of life and casualties which have been suffered by UNCRO and extends its condolences to the families of the bereaved.

"The Council will remain seized of the matter."

At its 3560th meeting, on 3 August 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[79]

"The Security Council is deeply concerned at the deterioration in the situation in and around the Republic of Croatia.

"The Council fully supports the efforts of the Special Representative of the Secretary-General and of the Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia to defuse the situation, in line with the Council's previous resolutions.

"The Council stresses that there can be no military solution to the conflict in Croatia and welcomes the holding of talks between the parties at Geneva earlier today. It calls upon both parties to commit themselves fully to that process and to acceptance of the draft agreement drawn up by the Co-Chairman as a basis for continuing those talks.

"The Council demands that the parties halt all military actions and exercise the utmost restraint."

At its 3561st meeting, on 4 August 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[80]

"The Security Council is deeply concerned at the resumption of hostilities in and around the Republic of Croatia. The Council recalls the statement by its President of 3 August 1995.[79] It strongly deplores the decision by the Croatian Government to launch a broad military offensive, thereby unacceptably escalating the conflict, with the risk of further consequent attacks by whatever party, and demands that all military action cease immediately and that there be full compliance with all Council resolutions including resolution 994 (1995).

"The Council condemns any shelling of civilian targets. It demands that no military action be taken against civilians and that their human rights be fully respected. It reminds the parties of their responsibilities under international humanitarian law and reiterates that those who commit violations of international humanitarian law will be held individually responsible in respect of such acts. The Council calls upon the parties to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, the United Nations High Commissioner for Refugees and the International Committee of the Red Cross in ensuring access and protection to the local civilian population as appropriate.

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[79] S/PRST/1995/37.
[80] S/PRST/1995/38.

"The Council strongly condemns attacks by Croatian Government forces on personnel of the United Nations peacekeeping forces, which have resulted in casualties, including the death of one member of the peacekeeping forces. It demands that such attacks cease immediately and that all detained personnel be released. It also reminds the parties, and in particular the Croatian Government, that they have an obligation to respect United Nations personnel, to ensure their safety and freedom of movement at all times and to enable UNCRO to fulfil its mandate in accordance with the relevant Council resolutions. The Council expresses condolences to the Government of Denmark and to the family of the member of the United Nations peacekeeping forces who lost his life.

"The Council deeply regrets the breakdown of the talks which began at Geneva on 3 August 1995. It calls upon the Croatian Government to return to the talks. It reiterates that there can be no military solution to the conflict in Croatia. It reaffirms its call for an unreserved commitment to the search for a negotiated settlement and to the resumption of talks on the basis of the draft agreement drawn up by the Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

"The Council will remain seized of the matter and will consider any further measures that may be necessary."

At its 3563rd meeting, on 10 August 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General submitted pursuant to Security Council resolution 981 (1995) (S/1995/650)[19]

"Letter dated 7 August 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/666)".[19]

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to address the Council in the course of the discussion of the item.

Resolution 1009 (1995)

of 10 August 1995

The Security Council,

Recalling all its previous resolutions on the conflicts in the territory of the former Yugoslavia, in particular resolutions 981 (1995) of 31 March 1995, 990 (1995) of 28 April 1995 and 994 (1995) of 17 May 1995,

Reaffirming the statements by its President of 3 and 4 August 1995,[79, 80] and deeply concerned that the demands set out therein have not yet been fully complied with by the Government of the Republic of Croatia,

Having considered the report of the Secretary-General of 3 August 1995[81] and his letter dated 7 August 1995,[82]

Noting with concern reports of violations of resolution 713 (1991) of 25 September 1991 as reflected in the report of the Secretary-General of 3 August 1995,

Deeply regretting the breakdown of the talks which began at Geneva on 3 August 1995,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, stressing the importance it attaches to the mutual recognition thereof, and in this context welcoming all international efforts to facilitate a negotiated solution to the conflict in the Republic of Croatia,

Strongly deploring the broad military offensive launched on 4 August 1995 by the Government of the Republic of Croatia, thereby unacceptably escalating the conflict, with the risk of further consequent attacks by whatever party,

Condemning the shelling of civilian targets,

Deeply concerned at the grave situation of persons displaced from their homes as a result of the conflict and at reports of violations of international humanitarian law,

Stressing the need to protect the rights of the local Serb population,

Condemning in the strongest terms the unacceptable acts by Croatian Government forces against personnel of the United Nations peacekeeping forces, including those which have resulted in the death of one Danish and two Czech members of those forces, and expressing its condolences to the Governments concerned,

Taking note of the agreement between the Republic of Croatia and the United Nations Peace Forces signed on 6 August 1995,[83] and stressing the need for the Government of the Republic of Croatia to adhere strictly to its provisions,

Reaffirming its determination to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Government of the Republic of Croatia cease immediately all military actions and that there be full compliance with all Council resolutions, including resolution 994 (1995);

2. *Demands also* that the Government of the Republic of Croatia, in conformity with internationally recognized standards and in compliance with the agreement of 6 August 1995 between the Republic of Croatia and the United Nations Peace Forces, (*a*) respect fully the rights of the local Serb population, including their rights to remain, leave or return in safety, (*b*) allow access to this population by international humanitarian organizations and (*c*) create conditions conducive to the return of those persons who have left their homes;

3. *Reminds* the Government of the Republic of Croatia of its responsibility to allow access for representatives of the International Committee of the Red Cross to members

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[81] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/650.

[82] Ibid., document S/1995/666.

[83] Ibid., annex III.

of the local Serb forces who are detained by the Croatian Government forces;

4. *Reiterates* that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts;

5. *Requests* the Secretary-General, in cooperation with the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the International Committee of the Red Cross and other relevant international humanitarian institutions, to assess the humanitarian situation of the local Serb population, including the problem of refugees and displaced persons, and to report thereon as soon as possible;

6. *Demands* that the Government of the Republic of Croatia fully respect the status of United Nations personnel, refrain from any attacks against them, bring to justice those responsible for any such attacks and ensure the safety and freedom of movement of United Nations personnel at all times, and requests the Secretary-General to keep the Council informed of steps taken and decisions rendered in this regard;

7. *Urges* the parties and others concerned to exercise maximum restraint in and around Sector East, and requests the Secretary-General to keep the situation there under review;

8. *Reminds* all parties of their obligation to comply fully with the provisions of resolution 816 (1993) of 31 March 1993;

9. *Reiterates its call* for a negotiated settlement that guarantees the rights of all communities, and urges the Government of the Republic of Croatia to resume talks under the auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia;

10. *Requests* the Secretary-General to report to the Council within three weeks of the adoption of the present resolution on its implementation and on the implications of the situation for the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and expresses its readiness to consider promptly his recommendations in relation to UNCRO;

11. *Decides* to remain actively seized of the matter and to consider further measures to achieve compliance with the present resolution.

Adopted unanimously at the 3563rd meeting.

Decisions

In a letter dated 29 August 1995,[84] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have considered your report of 23 August 1995 pursuant to resolution 1009 (1995).[85]

"The members of the Council agree with your recommendation set out in paragraph 32 of that report concerning the repatriation of remaining battalions of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, with the exception of the two in Sector East. They support the views you express concerning the possible future configuration and tasks of UNCRO and urge you to continue your contacts in this regard. They express their readiness to consider further recommendations in the light of those contacts. Pending such consideration, they stress the importance they attach to the retention of the current configuration and tasks of UNCRO in Sector East. They underline the need for a new spirit of cooperation with UNCRO there and elsewhere in the Republic of Croatia.

"The members of the Council fully support you in your efforts to ensure that the parties and others concerned exercise maximum restraint in and around Sector East and pursue a negotiated solution.

"The members of the Council note with concern the difficulties you report concerning implementation by the Croatian Government of the agreement on the status of forces. They look to the Croatian Government to implement fully and unconditionally the terms of that agreement in all aspects.

"The members of the Council express their concern over the humanitarian problems described in your report. They stress the importance they attach to the fulfilment of the provisions of the Council's resolutions in this regard and to efforts by the international community to alleviate the plight of refugees and displaced persons."

At its 3573rd meeting, on 7 September 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General submitted pursuant to Security Council resolution 1009 (1995) (S/1995/730)".[19]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[86]

"The Security Council has considered the report of the Secretary-General of 23 August 1995 submitted pursuant to its resolution 1009 (1995) of 10 August 1995[85] and in particular the humanitarian situation and human rights violations described therein.

"The Council expresses its deep concern at the grave situation of refugees and persons displaced during the Croatian offensive and at reports of violations of international humanitarian law as described in the report of the Secretary-General. The Council shares the view of the Secretary-General that the mass exodus of the local Serb population has created a humanitarian crisis of significant proportions. The Council is also concerned by reports of human rights violations, including the burning of houses, looting of property and killings, and demands that the Government of Croatia immediately investigate all such reports and take appropriate measures to put an end to such acts.

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[84] S/1995/748.

[85] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/730.

[86] S/PRST/1995/44.

"The Council reiterates its demand that the Government of the Republic of Croatia respect fully the rights of the local Serb population, including their right to remain or return in safety.

"The Council welcomes efforts made by the Secretary-General in coordination with international humanitarian organizations in response to this acute humanitarian situation. It calls upon all Member States to provide urgent humanitarian relief and assistance to those refugees and displaced persons.

"The Council reiterates that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts. The Council reiterates in this context that all States shall cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to its resolution 827 (1993), and its organs.

"The Council will remain actively seized of the matter."

At its 3584th meeting, on 3 October 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[87]

"The Security Council expresses its concern at the humanitarian situation in and around the Republic of Croatia, including the situation of refugees from the Republic of Bosnia and Herzegovina.

"The Council is particularly concerned at the withdrawal of refugee status from and the consequent ending of assistance to many refugees from the Republic of Bosnia and Herzegovina at present in the Republic of Croatia. The decisions of the Government of Croatia in this regard may lead to the involuntary return of tens of thousands of people to an area that is neither safe nor prepared to receive them. The Council stresses the importance of the principle of non-refoulement set out in the 1951 Geneva Convention relating to the Status of Refugees,[88] to which Croatia is a party. The Council urges the Government of Croatia to continue to provide asylum to all refugees regardless of their origin.

"The Council is also seriously concerned at the situation of the refugees from the Republic of Croatia wishing to return, as well as of those ethnic Serbs who have chosen to remain in the Republic of Croatia. It reiterates its demands, contained, *inter alia*, in its resolution 1009 (1995), that the Government of Croatia respect fully the rights of the local Serb population, including their right to remain or return in safety, investigate all reports of human rights violations and take appropriate measures to put an end to such acts. The Council calls upon the Government of Croatia to lift any time-limits placed on the return of refugees to Croatia to reclaim their property. The Council also calls upon the Government to cooperate with international humanitarian organizations in the creation of conditions conducive to the repatriation of refugees in safety and dignity.

"The Council will remain actively seized of the matter."

In a letter dated 10 October 1995,[89] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have considered your report of 29 September 1995 submitted pursuant to Council resolution 1009 (1995).[90] The members of the Council agree with the arrangements set out in that report for the remainder of the current mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, pending, in the case of Eastern Slavonia, the outcome of the ongoing negotiations on the subject."

At its 3596th meeting, on 22 November 1995, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Letter dated 15 November 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (S/1995/951)".[34]

Resolution 1023 (1995)

of 22 November 1995

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia, ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium, known as Sector East, are integral parts of the Republic of Croatia,

Affirming the importance it attaches to full respect for the human rights and fundamental freedoms of all in those territories,

Commending the continuing efforts of the representatives of the United Nations, the European Union, the Russian Federation and the United States of America to facilitate a negotiated solution to the conflict in the Republic of Croatia,

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[87] S/PRST/1995/49.

[88] United Nations, *Treaty Series*, vol. 189, No. 2545.

[89] S/1995/859.

[90] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/835.

1. *Welcomes* the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb representatives,[46] signed on 12 November 1995 in the presence of the United Nations mediator and the United States Ambassador to the Republic of Croatia;

2. *Recognizes* the request to it contained in the Basic Agreement to establish a transitional administration and authorize an appropriate international force, stands ready to consider the above request expeditiously in order to facilitate the implementation of the Agreement, and invites the Secretary-General to maintain the closest possible contact with all those concerned in order to assist with its work on the matter;

3. *Stresses* the need for the Government of the Republic of Croatia and the local Serb party to cooperate fully on the basis of the Basic Agreement and refrain from any military activity or any measure that might hinder the implementation of the transitional arrangements set out in it, and reminds them of their obligation to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and to ensure its safety and freedom of movement;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3596th meeting.

Decision

At its 3600th meeting, on 30 November 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report of the Secretary-General pursuant to Security Council resolutions 981 (1995), 982 (1995) and 983 (1995) (S/1995/987)".[34]

Resolution 1025 (1995)

of 30 November 1995

The Security Council,

Recalling all its previous relevant resolutions, in particular resolution 981 (1995) of 31 March 1995,

Recalling also the report of the Secretary-General of 29 September 1995[90] and the letter dated 10 October 1995 from the President of the Security Council to the Secretary-General,[89]

Reaffirming its resolution 1023 (1995) of 22 November 1995,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium, known as Sector East, are integral parts of the Republic of Croatia,

Affirming the importance it attaches to full respect for the human rights and fundamental freedoms of all in those territories and elsewhere in the Republic of Croatia,

Welcoming again the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb representatives, signed on 12 November 1995,[46]

Welcoming the positive role played by the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and paying tribute to the personnel of UNCRO in the performance of their mandate,

Having considered the report of the Secretary-General of 23 November 1995,[36]

Reaffirming its determination to ensure the security and freedom of movement of the personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General of 23 November 1995;[36]

2. *Requests* the Secretary-General to submit for consideration by the Council at the earliest possible date and no later than 14 December 1995 a report on all aspects of the establishment by the Council of an operation consisting of a transitional administration and a transitional peacekeeping force to implement the relevant provisions of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[46] including on the possibilities for assistance from the host country in offsetting the costs of the operation;

3. Decides that, in order to allow for the orderly establishment of the operation referred to in paragraph 2 above, the mandate of UNCRO shall terminate after an interim period ending on 15 January 1996 or when the Council has decided on the deployment, including on the necessary period for the transfer of authority, of the transitional peacekeeping force referred to in that paragraph, whichever is sooner;

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3600th meeting.

Decisions

At its 3615th meeting, on 22 December 1995, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

"Report on the situation of human rights in Croatia pursuant to Security Council resolution 1019 (1995) (S/1995/1051)".[34]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[91]

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[91] S/PRST/1995/63.

"The Security Council takes note of the report of the Secretary-General of 21 December 1995,[92] which it has just received.

"The Council, as a matter of urgency, expresses its grave concern that, according to information in that report, the Government of the Republic of Croatia has ignored the call of the Council in the statement by its President of 3 October 1995[87] that it lift any time-limits placed on the return of refugees to reclaim their property. The requirement that owners must reclaim their property by 27 December 1995 constitutes a virtually insurmountable obstacle for most Serb refugees.

"The Council strongly demands that the Government of the Republic of Croatia lift immediately any time-limits placed on the return of refugees to reclaim their property.

"The Council shall continue its consideration of the report of the Secretary-General."

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[92] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1051.

Navigation on the Danube river

Decision

At its 3533rd meeting, on 11 May 1995, the Security Council considered the item entitled "Navigation on the Danube river".

Resolution 992 (1995)

of 11 May 1995

The Security Council,

Recalling all its previous relevant resolutions on the former Yugoslavia, in particular its resolution 820 (1993) of 17 April 1993,

Desiring to promote free and unhindered navigation on the Danube in accordance with those resolutions,

Recalling statements made by the President of the Security Council on freedom of navigation on the Danube, in particular that made on 13 October 1993[93] expressing concern about the imposition of illegal tolls on foreign vessels transiting the section of the Danube which passes through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro),

Reminding States of their obligations under paragraph 5 of resolution 757 (1992) of 30 May 1992 not to make available to the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) or to any commercial, industrial or public utility undertaking in the Federal Republic of Yugoslavia (Serbia and Montenegro) any funds or any other financial or economic resources and to prevent their nationals from making available to those authorities or to any such undertaking any such funds or resources, and noting that flag States may submit claims to the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) for reimbursement of tolls illegally imposed on their vessels transiting the section of the Danube which passes through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro),

Taking note of the letter dated 8 May 1995 from the Chairman of the Security Council Committee established pursuant to resolution 724 (1991)[94] regarding the use by vessels registered in, or owned or controlled by persons in, the Federal Republic of Yugoslavia (Serbia and Montenegro) of the locks of the Iron Gates I system on the left bank of the Danube while repairs are carried out to the locks on the right bank,

Recognizing that the use by vessels registered in, or owned or controlled by persons in, the Federal Republic of Yugoslavia (Serbia and Montenegro) of these locks will require an exemption from the provisions of paragraph 16 of resolution 820 (1993), and acting, in this respect, under Chapter VII of the Charter of the United Nations,

1. *Decides* that the use of the locks of the Iron Gates I system on the left bank of the Danube by vessels (*a*) registered in the Federal Republic of Yugoslavia (Serbia and Montenegro) or (*b*) in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be permitted in accordance with the present resolution;

2. *Also decides* that the present resolution shall come into force on the day following the receipt by the Council from the Security Council Committee established pursuant to resolution 724 (1991) of a report by the Danube Commission that it is satisfied that preparations for the repairs to the locks of the Iron Gates I system on the right bank of the Danube have been completed, and that the present resolution shall remain in force, subject to paragraph 6 below, for a period of sixty days from the date on which it comes into force, and, unless the Council decides otherwise, for further periods of up to sixty days if the Council is notified by the Committee established pursuant to resolution 724 (1991) that each such further period is required for completion of the necessary repairs;

3. *Requests* the Government of Romania, with the assistance of the European Union/Organization for Security and Cooperation in Europe Sanctions Assistance Missions, strictly to monitor this use, including, if necessary, by inspections of the vessels and their cargo, to ensure that no goods are loaded or unloaded during the passage by the vessels through the locks of the Iron Gates I system;

4. *Also requests* the Government of Romania to deny passage through the locks of the Iron Gates I system on the left bank of the Danube to any vessel using the locks of the Iron Gates I system under the authority of paragraph 1 above which is identified as being a party to any suspected or substantiated violation of the relevant Council resolutions;

5. *Requests* the Sanctions Assistance Missions Communications Centre to report to the Committee established

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[93] S/26572.

[94] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/372.

pursuant to resolution 724 (1991) and to the Romanian authorities operating the locks of the Iron Gates I system on the left bank of the Danube any suspected violation of any of the relevant Council resolutions by vessels using the locks of the Iron Gates I system under the authority of paragraph 1 above and to transmit to the Committee and to the Romanian authorities evidence that any such violation has in fact occurred; and decides that the Chairman of the Committee shall, after consulting members of the Committee, transmit to the Council any substantiated evidence of such a violation forthwith;

6. *Decides* that the exemption provided for in paragraph 1 above shall terminate on the third working day after the Council receives substantiated evidence from the Chairman of the Committee established pursuant to resolution 724 (1991) of a violation of any of the relevant resolutions of the Council by a vessel using the locks of the Iron Gates I system under the authority of paragraph 1 above, unless the Council decides to the contrary, and that the Government of Romania shall be so informed immediately;

7. *Requests* the Executive Director of the Danube Commission to inform the Chairman of the Committee established pursuant to resolution 724 (1991) of the date of completion of the repairs, or, if the repairs have not been completed within sixty days of the entry into force of the present resolution, or within the subsequent periods of up to sixty days for which the provisions of the present resolution may be extended, to provide the Chairman with a report on the state of the repairs ten days before the expiry of any such period;

8. *Confirms* that, in accordance with the provisions of resolution 760 (1992), the importation into the Federal Republic of Yugoslavia (Serbia and Montenegro) of supplies essential to the repair of the locks on the right bank of the Danube may be approved in accordance with the procedures of the Committee established pursuant to resolution 724 (1991) at a meeting or meetings of the Committee;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3533rd meeting.

Follow-up to resolution 817 (1993)[48]

Decisions

At its 3579th meeting, on 15 September 1995, the Security Council considered the item entitled "Follow-up to resolution 817 (1993)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[95]

> "The Security Council welcomes the signing of the Interim Accord between Greece and the former Yugoslav Republic of Macedonia[96] and looks forward to the establishment of a new relationship between the parties based on international law and peaceful, friendly relations. The Council believes the Accord will promote the strengthening of stability in the region.
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> "The Council commends both parties, the Secretary-General, the Special Envoy of the Secretary-General, Mr. Cyrus Vance, and the United States envoy, Mr. Matthew Nimetz, for their efforts in bringing about this important achievement, pursuant to Council resolutions 817 (1993) and 845 (1993). The Council encourages them to continue their efforts to resolve the remaining differences between the parties and urges the parties to implement fully the Interim Accord."

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[95] S/PRST/1995/46.

[96] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/794, annex I

Decisions

At its 3585th meeting, on 6 October 1995, the Security Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in the former Yugoslavia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[97]

"The Security Council welcomes the 5 October 1995 agreement by the Bosnian parties to a ceasefire, including the agreement to terminate all hostile military activities throughout the territory of the Republic of Bosnia and Herzegovina, as of 10 October 1995, provided that full gas and electrical utility service is restored to Sarajevo. It welcomes all efforts to restore such service and calls upon the parties to cooperate fully with such efforts. The Council urges the parties fully to comply with all provisions in the ceasefire agreement once they come into effect.

"The Council also welcomes the decision of the Governments of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to attend proximity peace talks by the end of this month, to be followed by a peace conference. It reiterates that there can be no military solution to the conflict in the Republic of Bosnia and Herzegovina and strongly urges the parties to negotiate in good faith on the basis of the Agreed Basic Principles signed at Geneva on 8 September 1995,[28] and the Further Agreed Basic Principles of 26 September 1995.[98]

"The Council also welcomes the agreement of 3 October 1995 by the Government of the Republic of Croatia and the local Croatian Serb authorities in Eastern Slavonia to guiding basic principles for negotiations.[99] It strongly urges both parties to negotiate in good faith towards a peaceful final settlement to the conflict consistent with the Council's resolutions."

At its 3591st meeting, on 9 November 1995, the Council decided to invite the representatives of Bosnia and Herzegovina and Croatia to participate, without vote, in the discussion of the item entitled "The situation in the former Yugoslavia".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to take a seat at the side of the Council Chamber.

Resolution 1019 (1995)

of 9 November 1995

The Security Council,

Recalling all its earlier resolutions on the situation in the Republic of Bosnia and Herzegovina, and reaffirming its resolutions 1004 (1995) of 12 July 1995 and 1010 (1995) of 10 August 1995 and the statements by its President of 7 September[24] and 12 October 1995,[31] and deeply concerned that, despite repeated calls that it should do so, the Bosnian Serb party has not complied with the demands contained therein,

Gravely concerned at reports, including by the representative of the Secretary-General, of grave violations of international humanitarian law and of human rights in and around Srebrenica and in the areas of Banja Luka and Sanski Most, including reports of mass murder, unlawful detention and forced labour, rape and deportation of civilians,

Recalling all its earlier relevant resolutions on the situation in the Republic of Croatia, and reaffirming its resolution 1009 (1995) of 10 August 1995 and the statements by its President of 7 September,[86] and 3 October 1995,[87]

Deeply concerned at reports, including by the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and United Nations humanitarian agencies, of serious violations of international humanitarian law and of human rights in the former Sectors West, North, and South, in the Republic of Croatia, including burning of houses, looting of property and killings of civilians,

Reiterating its strong support for the efforts of the International Committee of the Red Cross in seeking access to displaced persons and to persons detained or reported missing, and condemning in the strongest possible terms the failure of the Bosnian Serb party to comply with its commitments in respect of such access,

Commending the efforts of the United Nations Peace Forces and other United Nations personnel in the former Yugoslavia, in particular in the Republic of Bosnia and Herzegovina, despite extreme difficulties,

Taking note of the letter dated 31 October 1995 to the President of the Security Council[100] from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to resolution 827 (1993) of 25 May 1993,

Expressing its strong support for the work of the International Tribunal,

1. *Condemns in the strongest possible terms* all violations of international humanitarian law and of human rights in the territory of the former Yugoslavia, and demands that all concerned comply fully with their obligations in this regard;

2. *Reaffirms its demand* that the Bosnian Serb party give representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international agencies immediate and unimpeded access to persons displaced and to persons detained or reported missing from Srebrenica, Zepa and the

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[97] S/PRST/1995/50.

[98] Ibid., *Supplement for October, November and December 1995*, document S/1995/920, annex I.

[99] Ibid., document S/1995/843.

[100] Ibid., document S/1995/910.

regions of Banja Luka and Sanski Most who are within the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces and that the Bosnian Serb party permit representatives of the International Committee of the Red Cross (*a*) to visit and register any persons detained against their will, whether civilians or members of the forces of the Republic of Bosnia and Herzegovina, and (*b*) to have access to any site it may deem important;

3. *Also reaffirms its demand* that the Bosnian Serb party respect fully the rights of all such persons, ensure their safety and release them immediately;

4. *Reaffirms* the obligation of all the parties to ensure the complete freedom of movement of personnel of the United Nations and other relevant international organizations throughout the territory of the Republic of Bosnia and Herzegovina at all times;

5. *Demands* that all detention camps throughout the territory of the Republic of Bosnia and Herzegovina be immediately closed;

6. *Reaffirms its demand* that the Government of the Republic of Croatia take urgent measures to put an end to violations of international humanitarian law and of human rights and investigate all reports of such violations so that those responsible in respect of such acts may be judged and punished;

7. *Reiterates its demand* that the Government of the Republic of Croatia respect fully the rights of the local Serb population, including their right to remain or return in safety, and reiterates also its call upon the Government of the Republic of Croatia to lift any time-limits placed on the return of refugees to Croatia to reclaim their property;

8. *Demands* that all States, in particular those in the region of the former Yugoslavia, and all parties to the conflict in the former Yugoslavia comply fully and in good faith with the obligations contained in paragraph 4 of resolution 827 (1993) to cooperate fully with the International Tribunal established pursuant to that resolution, including by providing access to individuals and sites the Tribunal deems important for its investigations and by complying with requests for assistance or orders issued by a Trial Chamber under article 29 of the statute of the Tribunal, and calls upon them to allow the establishment of offices of the Tribunal;

9. *Demands* that all parties, and in particular the Bosnian Serb party, refrain from any action intended to destroy, alter, conceal, or damage any evidence of violations of international humanitarian law and that they preserve such evidence;

10. *Reaffirms its support* for the actions of the United Nations Peace Forces and other United Nations personnel, including the great importance of their contribution in the humanitarian field, and demands that all parties fully ensure their safety and cooperate fully with them;

11. *Requests* the Secretary-General to submit to the Council as soon as possible a written report based on all information available to the United Nations concerning recent violations of international humanitarian law in the areas of Srebrenica, Zepa, Banja Luka and Sanski Most;

12. *Also requests* the Secretary-General to continue to inform the Council on a regular basis of measures taken by the Government of the Republic of Croatia to implement resolution 1009 (1995) and the present resolution;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 3591st meeting.

Decisions

At its 3595th meeting, on 22 November 1995, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Brazil, Canada, Colombia, Croatia, Egypt, the Islamic Republic of Iran, Japan, Malaysia, Morocco, Norway, Pakistan, the Republic of Korea, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled "The situation in the former Yugoslavia".

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item.

Resolution 1021 (1995)

of 22 November 1995

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, in particular its resolutions 713 (1991) of 25 September 1991 and 727 (1992) of 8 January 1992,

Reaffirming its commitment to a negotiated political settlement of the conflicts in the former Yugoslavia, preserving the territorial integrity of all States there within their internationally recognized borders,

Welcoming the initialling of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia and the other parties thereto on 21 November 1995 at Dayton, Ohio,[35] signifying agreement between the parties to sign formally the Peace Agreement,

Welcoming also the commitments of the parties set out in annex 1-B (Agreement on Regional Stabilization) of the Peace Agreement,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the embargo on deliveries of weapons and military equipment imposed by resolution 713 (1991) shall be terminated as follows, beginning from the day the Secretary-General submits to the Council a report stating that the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia have formally signed the Peace Agreement:

(*a*) During the first ninety days following the submission of such a report, all the provisions of the embargo shall remain in place;

(*b*) During the second ninety days following the submission of such a report, all the provisions of the arms embargo shall be terminated, except that the delivery of heavy weapons (as defined in the Peace Agreement), ammunition therefor, mines, military aircraft and helicopters shall continue to be prohibited until the arms control agreement referred to in annex 1-B (Agreement on Regional Stabilization) has taken effect;

(*c*) After the one hundred and eightieth day following the submission of such a report and after the submission of a report from the Secretary-General on the implementation of annex 1-B as agreed by the parties, all provisions of the arms embargo terminate unless the Council decides otherwise;

2. *Requests* the Secretary-General to prepare in a timely way and to submit to the Council the reports referred to in paragraph 1 above;

3. *Maintains its commitment* to progressive measures for regional stability and arms control and, if the situation requires, to consider further action;

4. *Requests* the Security Council Committee established pursuant to resolution 724 (1991) to review and to amend its guidelines in the light of the provisions of the present resolution;

5. *Decides* to remain seized of the matter.

Adopted at the 3595th meeting by 14 votes to none, with 1 abstention (Russian Federation).

Resolution 1022 (1995)

of 22 November 1995

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia,

Reaffirming its commitment to a negotiated political settlement of the conflicts in the former Yugoslavia, preserving the territorial integrity of all States there within their internationally recognized borders,

Commending the efforts of the international community, including those of the Contact Group, to assist the parties in reaching a settlement,

Praising the decision of the Governments of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia to attend and participate constructively in proximity talks in the United States of America, and acknowledging with appreciation the efforts made by these Governments to reach a lasting peace settlement in Bosnia and Herzegovina,

Welcoming the initialling of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement") by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia and the other parties thereto on 21 November 1995 at Dayton, Ohio,[35] signifying agreement between the parties to sign formally the Peace Agreement,

Taking note of the Concluding Statement[35] issued at the adjournment of the proximity talks, in which all parties undertook, *inter alia*, to assist in locating the two French pilots missing in Bosnia and Herzegovina and to ensure their immediate and safe return,

Stressing the need for all parties to comply fully with all provisions of the Peace Agreement,

Noting that compliance with the requests and orders of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 constitutes an essential aspect of implementing the Peace Agreement,

Recognizing the interests of all States in the implementation of the suspension and subsequent termination of measures imposed by the Council and, in particular, the interests of the successor States to the State formerly known as the Socialist Federal Republic of Yugoslavia, with respect to the disposition of assets affected by the fact that that State has ceased to exist, and the desirability of accelerating the process now under way under the auspices of the International Conference on the Former Yugoslavia to reach a consensual agreement among the successor States as to the disposition of such assets,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the measures imposed by or reaffirmed in its resolutions 757 (1992) of 30 May 1992, 787 (1992) of 16 November 1992, 820 (1993) of 17 April 1993, 942 (1994) and 943 (1994) of 23 September 1994, 988 (1995) of 21 April 1995, 992 (1995) of 11 May 1995, 1003 (1995) of 5 July 1995 and 1015 (1995) of 15 September 1995 are suspended indefinitely with immediate effect subject to the provisions of paragraphs 2 to 5 below, and provided that, if the Secretary-General reports to the Council that the Federal Republic of Yugoslavia has failed formally to sign the Peace Agreement[35] on the date announced by the Contact Group for such purpose and that the other parties thereto have expressed their readiness so to sign, the measures described above shall be automatically reimposed from the fifth day following the date of such report;

2. *Decides also* that the suspension referred to in paragraph 1 above shall not apply to the measures imposed on the Bosnian Serb party until the day after the commander of the international force to be deployed in accordance with the Peace Agreement, on the basis of a report transmitted through the appropriate political authorities, informs the Council through the Secretary-General that all Bosnian Serb forces have withdrawn behind the zones of separation established in the Peace Agreement, and urges all parties concerned to take all necessary measures to assist in locating the two French pilots missing in Bosnia and Herzegovina and to ensure their immediate and safe return;

3. *Decides further* that if at any time, with regard to a matter within the scope of their respective mandates and after joint consultation if appropriate, either the High Representative described in the Peace Agreement, or the commander of the international force to be deployed in accordance with the Peace Agreement, on the basis of a report transmitted through the appropriate political authorities, informs the Council through the Secretary-General that the Federal Republic of Yugoslavia or the Bosnian Serb authorities are failing significantly to meet their obligations under the Peace Agreement, the suspension referred to in paragraph 1 above shall terminate on the fifth day following the Council's receipt of such a report, unless the Council decides otherwise taking into consideration the nature of the non-compliance;

4. *Decides* that it will terminate the measures described in paragraph 1 above on the tenth day following the

occurrence of the first free and fair elections provided for in annex 3 of the Peace Agreement, provided that the Bosnian Serb forces have withdrawn from, and have continued to respect, the zones of separation as provided for in the Peace Agreement;

5. *Decides also* that, so long as the measures referred to in paragraph 1 above remain suspended or are terminated by a subsequent Council decision in accordance with paragraph 4 above, all funds and assets previously frozen or impounded pursuant to resolutions 757 (1992) and 820 (1993) may be released by States in accordance with law, provided that any such funds and assets that are subject to any claims, liens, judgements or encumbrances, or which are the funds or assets of any person, partnership, corporation or other entity found or deemed insolvent under law or the accounting principles prevailing in such State, shall remain frozen or impounded until released in accordance with applicable law, and decides further that obligations of States related to freezing or impounding funds and assets contained in such resolutions shall be suspended pursuant to paragraph 1 above with respect to all funds and assets not currently frozen or impounded until the measures concerned are terminated by a subsequent Council decision;

6. *Decides further* that the suspension or termination of obligations pursuant to the present resolution is without prejudice to claims of successor States to the former Socialist Federal Republic of Yugoslavia with respect to funds and assets, stresses the need for the successor States to reach agreement on the distribution of funds and assets and the allocation of liabilities of the former Socialist Federal Republic of Yugoslavia, encourages all States to make provision under their national law for addressing competing claims of States, as well as claims of private parties affecting funds and assets, and further encourages States to take appropriate measures to facilitate the expeditious collection of any funds and assets by the appropriate parties and the resolution of claims related thereto;

7. *Decides* that all States shall continue to take the necessary measures to ensure that there shall be no claim in connection with the performance of any contract or other transaction where such performance was affected by the measures imposed by the resolutions referred to in paragraph 1 above and related resolutions;

8. *Requests* the Security Council Committee established pursuant to resolution 724 (1991) to review and to amend its guidelines in the light of the provisions of the present resolution;

9. *Pays tribute* to the neighbouring States, the mission of the International Conference on the Former Yugoslavia, the European Union/Organization for Security and Cooperation in Europe Sanctions Coordinator, the Sanctions Assistance Missions Communications Centre and the Sanctions Assistance Missions, the Western European Union operation on the Danube and the North Atlantic Treaty Organization/Western European Union Sharp Guard operation in the Adriatic Sea for their significant contribution to the achievement of a negotiated peace;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the 3595th meeting.

The situation in the former Yugoslav Republic of Macedonia

Decision

At its 3602nd meeting, on 30 November 1995, the Security Council decided to invite the representative of the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

> "The situation in the former Yugoslav Republic of Macedonia
>
> "Report of the Secretary-General pursuant to Security Council resolutions 981 (1995), 982 (1995) and 983 (1995) (S/1995/987)".[34]

Resolution 1027 (1995)

of 30 November 1995

The Security Council,

Recalling all its previous relevant resolutions, in particular resolution 983 (1995) of 31 March 1995,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

Recalling its concern about possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory,

Welcoming the positive role played by the United Nations Preventive Deployment Force, and paying tribute to the personnel of the Force in the performance of their mandate,

Having considered the report of the Secretary-General of 23 November 1995,[36]

1. *Welcomes* the report of the Secretary-General;[36]

2. *Decides* to extend the mandate of the United Nations Preventive Deployment Force for a period terminating on 30 May 1996;

3. *Urges* the Force to continue its cooperation with the mission of the Organization for Security and Cooperation in Europe;

4. *Calls upon* Member States to consider favourably requests by the Secretary-General for necessary assistance to the Force in the performance of its mandate;

5. *Requests* the Secretary-General to keep the Council regularly informed of any developments on the ground and other circumstances affecting the mandate of the Force, and in particular to submit, if possible by 31 January 1996, a report on all aspects of the Force, in the light of developments in the region, for review by the Council;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3602nd meeting.

THE SITUATION IN GEORGIA[1]

Decision

At its 3488th meeting, on 12 January 1995, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

> "The situation in Georgia
>
> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (UNOMIG) (S/1995/10 and Add.1 and 2)".[2]

Resolution 971 (1995)

of 12 January 1995

The Security Council,

Reaffirming its resolutions 849 (1993) of 9 July 1993, 854 (1993) of 6 August 1993, 858 (1993) of 24 August 1993, 876 (1993) of 19 October 1993, 881 (1993) of 4 November 1993, 892 (1993) of 22 December 1993, 896 (1994) of 31 January 1994, 906 (1994) of 25 March 1994, 934 (1994) of 30 June 1994 and 937 (1994) of 21 July 1994,

Having considered the report of the Secretary-General of 6 January 1995,[3]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia, and, in this context, recalling the statement by the President of the Security Council of 2 December 1994,[4]

Reaffirming the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, signed in Moscow on 4 April 1994,[5]

Urging the parties to refrain from any unilateral actions that could complicate or hinder the political process aimed at an early and comprehensive settlement of the conflict,

Deeply concerned about the lack of progress regarding a comprehensive political settlement as well as the slow pace of return of refugees and displaced persons,

Calling upon the parties to intensify efforts, under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe, to achieve an early and comprehensive political settlement of the conflict, including on the political status of Abkhazia, fully respecting the sovereignty and territorial integrity of the Republic of Georgia,

Expressing its satisfaction with the close cooperation and coordination between the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force in the performance of their respective mandates,

Commending the contribution of the peacekeeping force and of the Mission to the maintenance of a ceasefire and to the stabilization of the situation in the zone of the Georgian-Abkhaz conflict,

1. *Welcomes* the report of the Secretary-General of 6 January 1995;[3]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia, as set out in resolution 937 (1994), for an additional period terminating on 15 May 1995;

3. *Requests* the Secretary-General to report within two months of the adoption of the present resolution on all aspects of the situation in Abkhazia, Republic of Georgia;

4. *Encourages* the Secretary-General to continue his efforts aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, and calls upon the parties to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe;

5. *Calls upon* the parties to comply with their commitments with regard to the return of refugees and displaced persons, as undertaken in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons,[5] and in particular calls upon the Abkhaz side to accelerate the process significantly;

6. *Decides* to undertake, on the basis of a report from the Secretary-General to be submitted by 4 May 1995 and in the light of any progress achieved towards a political settlement and the return of refugees and displaced persons, a thorough review of the situation in Abkhazia, Republic of Georgia;

7. *Requests* the Secretary-General to examine, within the existing mandate of the Mission, in cooperation with the relevant representatives of the Commonwealth of Independent States peacekeeping force, the possibility of additional steps to contribute to conditions conducive to the safe and orderly return of refugees and displaced persons;

8. *Reiterates its encouragement* to Member States to contribute to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[6] and/or for humanitarian aspects including demining, as specified by the donors;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3488th meeting.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[3] Ibid., documents S/1995/10 and Add. 1 and 2.

[4] S/PRST/1994/78.

[5] See *Official Records of the Security Council, Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/397.

[6] Ibid., document S/1994/583.

Decisions

At its 3509th meeting, on 17 March 1995, the Security Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1995/181)".[2]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[7]

"The Security Council welcomes the interim report of the Secretary-General of 6 March 1995 concerning the situation in Abkhazia, Republic of Georgia.[8] The Council also welcomes the recent efforts of the Secretary-General's Special Envoy, which enjoy the Council's full support.

"The Council reaffirms its commitment to the sovereignty and territorial integrity of the Republic of Georgia and calls upon the parties to achieve a comprehensive settlement of the conflict, including on the political status of Abkhazia.

"The Council notes that there has been little overall progress in achieving a comprehensive political settlement and that a stalemate exists with respect to the return of refugees and displaced persons.

"The Council notes the movement which has occurred in the political talks which resumed at Geneva from 7 to 9 February 1995 and calls upon the parties to exert determined efforts towards achieving substantive progress during the next round of talks.

"The Council notes with concern that, despite the efforts of the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force, the security situation, in the Gali region in particular, has deteriorated, causing great difficulty in the delivery of humanitarian supplies. The Council also notes with concern that reports of human rights abuses, largely against the Georgian population, have become more frequent. The Council calls upon the parties to provide a secure environment, *inter alia*, to provide security for returning refugees and displaced persons and to ensure that international relief supplies can be delivered safely.

"The Council is deeply concerned about the lack of progress regarding the return of refugees and displaced persons. The Council deplores the continued obstruction on this issue displayed by the Abkhaz authorities and, in particular, the position taken by those authorities in the recent meeting of the Quadripartite Commission in Moscow. The Council expects the parties to implement fully their obligations under the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons.[5] The Council urges the Abkhaz authorities to agree to a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees. The Council notes that cooperation between the United Nations Observer Mission in Georgia and the Office of the United Nations High Commissioner for Refugees is critical to the safe and orderly return of refugees and displaced persons.

"The Council, while welcoming the pledge that has been announced to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces,[6] notes the lack of contributions to this fund and reiterates its encouragement to Member States to make contributions to the voluntary fund in support of the implementation of the Agreement and/or for humanitarian aspects, including demining, as specified by the donors. The Council also welcomes all other relevant humanitarian contributions of Member States.

"The Council welcomes the steps taken by the Mission and the peacekeeping force aimed at improving conditions for the safe and orderly return of refugees and displaced persons. The Council notes the increased patrolling of the Mission and looks forward to further information on the intensification of its activities within its mandate. The Council also welcomes the strengthening of cooperation between the Mission and the representatives of the Organization for Security and Cooperation in Europe in Georgia.

"The Council agrees with the observation of the Secretary-General that, with patience and perseverance, solutions can be found to the situation in Abkhazia, Republic of Georgia. The Council underlines the fact that without progress in this direction it will not be possible to maintain the support of the international community.

"The Council will remain seized of the matter."

At its 3535th meeting, on 12 May 1995, the Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1995/342)".[9]

Resolution 993 (1995)

of 12 May 1995

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 971 (1995) of 12 January 1995,

Having considered the report of the Secretary-General of 1 May 1995,[10]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Georgia,

Concerned that insufficient progress has been achieved towards a comprehensive political settlement,

Welcoming and encouraging continuing consultations regarding a new constitution for the Republic of Georgia based on federal principles in the context of a comprehensive political settlement,

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[7] S/PRST/1995/12.

[8] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/181.

[9] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[10] Ibid., document S/1995/342.

Reaffirming the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, signed in Moscow on 4 April 1994,[5] deploring the continued obstruction of such return by the Abkhaz authorities, and underlining the fact that the return of refugees and displaced persons to the Gali region would be a welcome first step,

Expressing concern over the critical funding shortages which may result in suspension of important humanitarian programmes,

Recalling the conclusions of the Budapest summit of the Conference on Security and Cooperation in Europe[11] regarding the situation in Abkhazia, Republic of Georgia,

Reaffirming the need for the parties to comply with international humanitarian law,

Noting that the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994,[6] has been generally respected by the parties over the past year with the assistance of the Commonwealth of Independent States peacekeeping force and the United Nations Observer Mission in Georgia, but expressing concern at the continued lack of a secure environment, in particular recent attacks on civilians in the Gali region,

Expressing concern about the safety and the security of personnel of the Mission and the peacekeeping force, and stressing the importance it attaches to their freedom of movement,

Stressing the importance it attaches to restrictions on the number and type of weapons which may be borne by the parties in the security zone, and welcoming the intention of the Secretary-General to pursue this question with the parties,

Expressing its satisfaction with the close cooperation and coordination between the Mission and the peacekeeping force in the performance of their respective mandates, and commending the contribution both have made to the stabilization of the situation in the zone of conflict,

Paying tribute to those members of the peacekeeping force who have lost their lives in the exercise of their duties,

1. *Welcomes* the report of the Secretary-General of 1 May 1995;[10]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Georgia for an additional period terminating on 12 January 1996, subject to review by the Council in the event of any changes that may be made in the mandate of the Commonwealth of Independent States peacekeeping force;

3. *Expresses its full support* for the efforts of the Secretary-General aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia, as well as for the efforts that are being undertaken by the Russian Federation in its capacity as facilitator to intensify the search for a peaceful settlement of the conflict, and encourages the Secretary-General to continue his efforts, with the assistance of the Russian Federation as facilitator and with the support of the Organization for Security and Cooperation in Europe, to that end;

4. *Calls upon* the parties to reach substantive progress in the negotiations under the auspices of the United Nations and with the assistance of the Russian Federation as facilitator and the participation of representatives of the Organization for Security and Cooperation in Europe;

5. *Urges* the parties to refrain from any unilateral actions which could complicate or hinder the political process aimed at an early and comprehensive political settlement;

6. *Reiterates its call* to the Abkhaz side to accelerate significantly the process of the voluntary return of refugees and displaced persons by accepting a timetable on the basis of that proposed by the Office of the United Nations High Commissioner for Refugees and to guarantee the safety of spontaneous returnees already in the area and regularize their status in accordance with the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons;[5]

7. *Welcomes* the additional measures implemented by the Mission and the peacekeeping force in the Gali region aimed at improving conditions for the safe and orderly return of refugees and displaced persons;

8. *Calls upon* the parties to improve their cooperation with the Mission and the peacekeeping force in order to provide a secure environment for the return of refugees and displaced persons, and also calls upon them to honour their commitments with regard to the security and freedom of movement of all United Nations and Commonwealth of Independent States personnel;

9. *Requests* the Secretary-General, in the context of paragraph 7 of resolution 971 (1995), to consider ways of improving observance of human rights in the region;

10. *Reiterates its encouragement* to States to contribute to the voluntary fund in support of the implementation of the Agreement on a Ceasefire and Separation of Forces[6] and/or for humanitarian aspects including demining, as specified by the donors;

11. *Encourages* States to respond to the consolidated inter-agency appeal, in particular for the urgent needs of the Office of the United Nations High Commissioner for Refugees, and welcomes all relevant humanitarian contributions of States;

12. *Requests* the Secretary-General to report every three months from the date of the adoption of the present resolution on all aspects of the situation in Abkhazia, Republic of Georgia, including the operations of the Mission, and decides to undertake, on the basis of those reports, further reviews of the situation;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3535th meeting.

Decisions

At its 3567th meeting, on 18 August 1995, the Security Council decided to invite the representative of Georgia to participate, without vote, in the discussion of the item entitled:

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[11] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1435.

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1995/657)".[12]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[13]

"The Security Council welcomes the report of the Secretary-General of 9 August 1995 on the situation in Abkhazia, Georgia, pursuant to its resolution 993 (1995).[14]

"The Council notes there has been little overall progress in achieving a comprehensive political settlement and that a stalemate exists with respect to the return of refugees and displaced persons.

"The Council expresses its full support for the efforts of the Secretary-General and those of the Russian Federation in its capacity as facilitator aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia, respecting fully the sovereignty and territorial integrity of the Republic of Georgia. The Council renews its call to the parties, in particular the Abkhaz side, to reach substantive progress in the political negotiations as a matter of urgency.

"The Council remains deeply concerned at the continued obstruction of the return of the refugees and displaced persons by the Abkhaz authorities, which is totally unacceptable. Reaffirming its resolution 993 (1995), the Council reiterates its call to the Abkhaz authorities to accelerate the return process significantly, to guarantee the safety of all returnees and to regularize the status of spontaneous returnees in accordance with internationally accepted practice and in cooperation with the Office of the United Nations High Commissioner for Refugees.

"The Council welcomes the continuing close cooperation and coordination between the United Nations Observer Mission in Georgia and the Commonwealth of Independent States peacekeeping force in the performance of their respective mandates. It reminds the parties of their obligations to cooperate fully with the Mission and the peacekeeping force and to ensure the safety and freedom of movement of all United Nations and Commonwealth of Independent States personnel.

"The Council takes note with appreciation of the decision of the Secretary-General regarding the resident deputy to his Special Envoy. The Council also supports the Secretary-General's efforts with regard to the establishment of a human rights monitoring mission in the area. It encourages the Secretary-General to continue his consultations with the parties to this end."

In a letter dated 5 October 1995,[15] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 2 October 1995 concerning the appointment of Mr. Liviu Bota as resident deputy to your Special Envoy and Head of Mission of the United Nations Observer Mission in Georgia[16] has been brought to the attention of the members of the Council. They take note of the information contained in your letter and agree with the proposal made therein."

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[12] Ibid., *Fiftieth Year, Supplement for July, August and September 1995.*

[13] S/PRST/1995/39.

[14] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/657.

[15] S/1995/840.

[16] S/1995/839.

THE SITUATION IN LIBERIA[1]

Decision

At its 3489th meeting, on 13 January 1995, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Eighth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (UNOMIL) (S/1995/9)".[2]

Resolution 972 (1995)

of 13 January 1995

The Security Council,

Recalling its resolutions 788 (1992) of 19 November 1992, 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993, 911 (1994) of 21 April 1994 and 950 (1994) of 21 October 1994,

Having considered the reports of the Secretary-General of 18 May 1994,[3] 24 June 1994,[4] 26 August 1994,[5] 14 October 1994[6] and 6 January 1995[7] on the United Nations Observer Mission in Liberia,

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[1] Resolutions or decisions on this question were also adopted by the Council in 1991, 1992, 1993 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[3] Ibid., *Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/588.

[4] Ibid., document S/1994/760.

[5] Ibid., *Supplement for July, August and September 1994*, document S/1994/1006.

Viewing with appreciation the diplomatic achievement of the current Chairman of the Economic Community of West African States, Mr. Jerry Rawlings, President of Ghana, in bringing together the faction leaders of Liberia to sign the Accra Agreement on 21 December 1994,[8] which builds upon the Yamoussoukro,[9] Cotonou[10] and Akosombo[11] agreements and includes a timetable for the implementation of its provisions,

Commending once again the efforts of the Economic Community of West African States, which has played a crucial role in the search for a peaceful solution to the Liberian conflict,

Commending also those African States which have contributed troops to the Economic Community of West African States Monitoring Group and those Member States which have provided assistance in support of the peace negotiations and the peacekeeping forces, including contributions to the United Nations Trust Fund for Liberia,

Expressing the hope that a summit of the States members of the Economic Community of West African States will be convened at the earliest possible date to harmonize their policies on Liberia and promote implementation of the Accra Agreement, including tightening the application of the arms embargo,

Taking note with concern that there has been a continuing inflow of arms in Liberia in violation of the existing arms embargo, which has further destabilized the situation in Liberia,

Deeply concerned that the humanitarian situation in Liberia has worsened owing to the lack of security in the country and the resulting inability of national and international relief organizations to function effectively,

Calling upon the Liberian leaders and factions to demonstrate their commitment to the peace process by maintaining the ceasefire, which came into effect on 28 December 1994, recommitting themselves to the disarmament process and implementing without delay all provisions of the Accra Agreement,

1. *Welcomes* the report of the Secretary-General of 6 January 1995;[7]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 13 April 1995;

3. *Expresses deep concern* at the failure of the Liberian parties so far to reach agreement, at the recent talks in Accra, on the composition of the Council of State as stipulated in the Accra Agreement,[8] and calls upon them to work together to implement the Agreement by upholding the ceasefire, resuming disarmament and demobilization of combatants and implementing the other relevant aspects of the Agreement in accordance with the timetable, including the prompt installation of the new Council of State;

4. *Requests* that the Secretary-General base any decision to return the Mission and its civilian staff to the level authorized under resolution 866 (1993) on the existence of an effective ceasefire and on the ability of the Mission to carry out its mandate;

5. *Also requests* that the Secretary-General report to the Security Council on or before 1 March 1995 on the situation in Liberia and on the role of the Mission and of the Economic Community of West African States Monitoring Group, including on the needs of States members of the Economic Community of West African States to maintain their troops in the Monitoring Group;

6. *Reminds* all Member States of their obligation strictly to abide by and comply with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992);

7. *Demands once more* that all factions in Liberia strictly respect the status of personnel of the Monitoring Group and of the Mission and those of organizations and personnel delivering humanitarian assistance throughout Liberia, and further demands that those factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

8. *Urges* Member States to provide support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia and by providing financial, logistical and other assistance in support of the troops participating in the Monitoring Group in order to enable the Monitoring Group to deploy fully and to carry out its mandate, particularly with respect to encampment and disarmament of the Liberian factions;

9. *Requests*, in this regard, the Secretary-General to continue his efforts to obtain financial and logistical resources from Member States;

10. *Commends* the efforts made by Member States and humanitarian organizations to provide emergency humanitarian assistance and especially the efforts of neighbouring countries to assist Liberian refugees;

11. *Commends also* the ongoing efforts of the Economic Community of West African States to further the Liberian peace process and the commitment of the Monitoring Group to ensure the safety of military observers and civilian staff of the Mission;

12. *Welcomes* the tireless efforts by the Secretary-General and his Special Representative to promote the cause of peace in Liberia;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3489th meeting.

Decision

At its 3517th meeting, on 13 April 1995, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Tenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/279)".[12]

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[6] Ibid., *Supplement for October, November and December 1994*, document S/1994/1167.

[7] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/9.

[8] Ibid., document S/1995/7.

[9] Ibid., *Forty-seventh Year, Supplement for October, November and December 1992*, document S/24815.

[10] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26272.

[11] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1174.

[12] Ibid., *Fiftieth Year, Supplement for April, May and June 1995.*

Resolution 985 (1995)

of 13 April 1995

The Security Council,

Recalling its resolutions 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993, 911 (1994) of 21 April 1994, 950 (1994) of 21 October 1994 and 972 (1995) of 13 January 1995,

Recalling also its resolution 788 (1992) of 19 November 1992, in which it decided, under Chapter VII of the Charter of the United Nations, that all States should, for the purpose of establishing peace and stability in Liberia, immediately implement a general and complete embargo on all deliveries of weapons and military equipment to Liberia until the Security Council decided otherwise, and in which it decided also that the embargo should not apply to weapons and military equipment destined for the sole use of the peacekeeping forces of the Economic Community of West African States in Liberia, subject to any review that might be required in conformity with the report of the Secretary-General,

Having considered the reports of the Secretary-General of 24 February[13] and 10 April 1995[14] on the United Nations Observer Mission in Liberia,

Deeply concerned that the ceasefire in Liberia has broken down, precluding the full deployment of the Mission and preventing it from carrying out its mandate fully,

Noting with deep concern that in violation of resolution 788 (1992) arms continue to be imported into Liberia, exacerbating the conflict,

Welcoming the decision of the Economic Community of West African States to hold a summit of heads of State in May 1995,

1. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 30 June 1995;

2. *Urges* all Liberian parties to implement the Akosombo Agreement[11] and the Accra Agreement[8] by re-establishing an effective ceasefire, promptly installing the Council of State and taking concrete steps towards the implementation of the other provisions of the agreements;

3. *Encourages* the States members of the Economic Community of West African States to promote implementation of the Akosombo and Accra Agreements and to continue to do all in their power to facilitate a political settlement in Liberia;

4. *Urges* all States, and in particular all neighbouring States, to comply fully with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992), and, to that end, decides to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(*a*) To seek from all States information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 8 of resolution 788 (1992);

(*b*) To consider any information brought to its attention by States concerning violations of the embargo, and, in that context, to make recommendations to the Council on ways of increasing the effectiveness of the embargo;

(*c*) To recommend appropriate measures in response to violations of the embargo imposed by paragraph 8 of resolution 788 (1992) and provide information on a regular basis to the Secretary-General for general distribution to Member States;

5. *Expresses its appreciation* to the Chairman of the Economic Community of West African States for his initiative in organizing a regional summit on Liberia and to the Government of Nigeria for agreeing to host it, and urges all parties to participate;

6. *Demands once more* that all factions in Liberia strictly respect the status of personnel of the Economic Community of West African States Monitoring Group and the Mission, and of organizations and personnel delivering humanitarian assistance throughout Liberia, and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

7. *Requests* the Secretary-General to report to the Security Council by 15 June 1995 on the situation in Liberia, including whether there is an effective ceasefire and whether the Mission can carry out its mandate, and on the status of contributions of financial and logistical resources from the international community in support of the troops participating in the Monitoring Group, and notes that the Council will consider the future of the Mission in the light of the report of the Secretary-General;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3517th meeting.

Decision

At its 3549th meeting, on 30 June 1995, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Eleventh progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/473)".[12]

Resolution 1001 (1995)

of 30 June 1995

The Security Council,

Recalling its resolutions 788 (1992) of 19 November 1992, 813 (1993) of 26 March 1993, 856 (1993) of 10 August 1993, 866 (1993) of 22 September 1993, 911 (1994) of 21 April 1994, 950 (1994) of 21 October 1994, 972 (1995) of 13 January 1995 and 985 (1995) of 13 April 1995,

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[13] Ibid., *Supplement for January, February and March 1995*, document S/1995/158.

[14] Ibid., *Supplement for April, May and June 1995*, document S/1995/279.

Having considered the report of the Secretary-General of 10 June 1995 on the United Nations Observer Mission in Liberia,[15]

Emphasizing that the people of Liberia bear the ultimate responsibility for achieving peace and national reconciliation,

Commending the positive role of the Economic Community of West African States in its continuing efforts to restore peace, security and stability in Liberia,

Welcoming the recent summit meeting of heads of State and Government of the Committee of Nine on Liberia of the Economic Community of West African States, in Abuja, Nigeria, from 17 to 20 May 1995,

Noting that a further concerted and harmonized effort by all concerned, including the States members of the Economic Community of West African States, would be helpful to advance the peace process,

Concerned that the Liberian parties have so far failed to install the Council of State, re-establish an effective ceasefire and take concrete steps towards the implementation of the other provisions of the Accra Agreement,[8]

Deeply concerned also at the continuing inter-factional and intra-factional fighting in parts of Liberia, which has further worsened the plight of the civilian population, particularly in rural areas, as well as affected the ability of humanitarian agencies to provide relief,

Calling upon the Liberian factions, especially the combatants, to respect the human rights of the civilian population and to respect international humanitarian law,

Expressing great concern over the continued flow of arms into Liberia in violation of Security Council resolution 788 (1992),

Commending those African States which have contributed troops to the Economic Community of West African States Monitoring Group and those Member States which have provided assistance in support of the peace negotiations and the peacekeeping forces, including contributions to the United Nations Trust Fund for Liberia,

1. *Welcomes* the report of the Secretary-General of 10 June 1995;[15]

2. *Stresses* that continued international community support for the peace process in Liberia, including the continued presence of the United Nations Observer Mission in Liberia, is contingent on immediate actions by the Liberian parties to resolve their differences peacefully and achieve national reconciliation;

3. *Decides* to extend the mandate of the Mission until 15 September 1995;

4. *Urges* that the Liberian parties use this period to make serious and substantial progress towards the implementation of the Akosombo Agreement[11] and the Accra Agreement[8] and specifically to accomplish the following steps:

(*a*) Installation of the Council of State;

(*b*) Re-establishment of a comprehensive and effective ceasefire;

(*c*) Disengagement of all forces;

(*d*) Creation of an agreed timetable and schedule for the implementation of all other aspects of the agreements, in particular the disarmament process;

5. *Declares its intention*, after consideration of the report of the Secretary-General, not to review the mandate of the Mission on 15 September 1995, unless the steps in paragraph 4 above are complied with by that date;

6. *Declares its readiness*, if significant progress in the peace process in Liberia regarding the steps in paragraph 4 above is achieved by 15 September 1995, to consider restoring the Mission to its full strength with appropriate adjustment of its mandate and the relationship with the Economic Community of West African States Monitoring Group to enable these two operations to carry out their respective functions more effectively, as well as to consider other aspects of post-conflict peace-building in Liberia;

7. *Urges* the Ministers of the Committee of Nine on Liberia of the Economic Community of West African States, as authorized by their heads of State and Government at the Abuja Summit of 17 to 20 May 1995, to reconvene a meeting of the Liberian parties and political leaders as soon as possible in order to resolve finally the outstanding issues of political settlement;

8. *Urges* Member States in the meantime to provide additional support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia and by providing financial, logistical and other assistance in support of the troops participating in the Monitoring Group in order to enable it to deploy fully and to carry out its mandate, particularly with respect to encampment and disarmament of the Liberian factions;

9. *Requests* the Secretary-General, in this regard, to continue his efforts to obtain financial and logistical resources from Member States, and urges those States that have pledged assistance to fulfil their commitments;

10. *Reminds* all States of their obligations to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) and to bring all instances of violations of the arms embargo before the Security Council Committee established pursuant to resolution 985 (1995);

11. *Reaffirms* the continued necessity for the Monitoring Group and the Mission to cooperate in fulfilling their respective mandates, and, to this end, urges the Monitoring Group to enhance its cooperation with the Mission at all levels to enable the Mission to discharge its mandate;

12. *Urges* the Monitoring Group in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Monitoring Group in the implementation of the Cotonou Agreement,[10] to take necessary action to provide security for observers and civilian staff of the Mission;

13. *Demands once more* that all factions in Liberia strictly respect the status of personnel of the Monitoring Group and the Mission, as well as of organizations and agencies delivering humanitarian assistance throughout Liberia, and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

14. *Commends* the efforts made by Member States and humanitarian organizations in providing emergency humanitarian assistance and especially those of neighbouring countries in assisting Liberian refugees;

15. *Urges* the Organization of African Unity to continue its collaboration with the Economic Community of West African States in promoting the cause of peace in Liberia;

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[15] Ibid., document S/1995/473.

16. *Expresses its appreciation* to the Secretary-General and his Special Representative for their tireless efforts to bring peace and reconciliation to Liberia;

17. *Requests* the Secretary-General to continue, as described in his report, to review the level of personnel of the Mission, to adapt the practical implementation of the mandate and to report as appropriate;

18. *Also requests* the Secretary-General to report to the Security Council before 15 September 1995 on the situation in Liberia;

19. *Decides* to remain seized of the matter.

Adopted unanimously at the 3549th meeting.

Decision

At its 3577th meeting, on 15 September 1995, the Security Council decided to invite the representatives of Ghana and Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Twelfth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/781)".[16]

Resolution 1014 (1995)

of 15 September 1995

The Security Council,

Recalling all its previous resolutions concerning the situation in Liberia, in particular resolution 1001 (1995) of 30 June 1995,

Having considered the report of the Secretary-General of 9 September 1995 on the United Nations Observer Mission in Liberia,[17]

Welcoming the recent Abuja Agreement signed by the Liberian parties on 19 August 1995,[18] which amends and supplements the Cotonou Agreement[10] and the Akosombo Agreement[11] as subsequently clarified by the Accra Agreement,[8]

Welcoming also the installation of a new Council of State, the re-establishment of a comprehensive and effective ceasefire, the beginning of the disengagement of forces and the agreement on a new timetable and schedule for the implementation of all other aspects of the Agreement,

Commending the positive role of the Economic Community of West African States in its continuing efforts to restore peace, security and stability in Liberia,

Commending in particular the efforts of the Governments of Nigeria and Ghana as host and Chairman respectively of the Abuja meeting, which have significantly contributed to the conclusion of the Abuja Agreement by the Liberian parties,

Noting that with these positive developments the Liberian parties have made appreciable progress towards the peaceful resolution of the conflict,

Emphasizing the need for all the Liberian parties to respect and implement fully all the agreements and commitments they have entered into, in particular with regard to maintenance of the ceasefire, disarmament and demobilization of combatants and national reconciliation,

Emphasizing once again that the people of Liberia bear the ultimate responsibility for achieving peace and national reconciliation,

Expressing its appreciation to those African States which have contributed and are contributing troops to the Economic Community of West African States Monitoring Group,

Commending those Member States which have provided assistance in support of the peace process, including contributions to the United Nations Trust Fund for Liberia,

Noting that, with the signing of the Abuja Agreement, additional resources in terms of troops, equipment and logistic support would be required by the Monitoring Group if it is to be able to deploy throughout the country to oversee the implementation of the various aspects of the Agreement, in particular the disarmament and demobilization process,

1. *Welcomes* the report of the Secretary-General of 9 September 1995;[17]

2. *Decides* to extend the mandate of the United Nations Observer Mission in Liberia until 31 January 1996;

3. *Welcomes* the intention of the Secretary-General to increase immediately by forty-two the number of military observers to monitor the ceasefire and the disengagement of forces, and considers that any increase beyond that should be based on progress on the ground in implementing the peace agreement;

4. *Welcomes also* the intention of the Secretary-General to submit by the end of October 1995, for the Council's consideration, recommendations concerning the new concept of operations of the Mission which should address, *inter alia*, measures to enhance the relationship between the Mission and the Economic Community of West African States Monitoring Group, aspects of disarmament and demobilization and the resources which the Mission will require to carry out its tasks effectively, and expresses its intention to review and respond to the recommendations of the Secretary-General in an expeditious manner;

5. *Urges* Member States to provide additional support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia, and in this regard calls upon those States which have pledged assistance to fulfil their commitments;

6. *Also urges* all Member States to provide financial, logistical and other assistance in support of the Monitoring Group to enable it to carry out its mandate, particularly with respect to encampment and disarmament of the Liberian factions;

7. *Requests* the Secretary-General in this regard to continue his efforts to obtain financial and logistical resources from Member States, and welcomes his intention to organize, in consultation with the Chairman of the Economic Community of West African States, the holding of

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[16] Ibid., *Supplement for July, August and September 1995.*

[17] Ibid., document S/1995/781.

[18] Ibid., document S/1995/742.

a pledging conference for Liberia as soon as possible to raise the resources needed by the Monitoring Group and for other needs critical to the advancement of the peace process in Liberia;

8. *Welcomes* the intention of the Secretary-General to dispatch a mission to Liberia to consult with the Liberian leaders and other interested parties on the requirements in the evolving implementation of the Abuja Agreement,[18] and looks forward to his report on the mission's results and recommendations;

9. *Encourages* Member States, in particular African countries, to consider providing troops to the expanded Monitoring Group;

10. *Stresses* that continued support by the international community for the peace process in Liberia, including the continued participation of the Mission, is contingent on the continued commitment by the Liberian parties to resolve their differences peacefully and to achieve national reconciliation;

11. *Reminds* all States of their obligations to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992 and to bring all instances of violations of the arms embargo before the Security Council Committee established pursuant to resolution 985 (1995);

12. *Calls upon* the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Monitoring Group in the implementation of the Cotonou Agreement,[10] to take necessary action to provide security for the observers and civilian staff of the Mission;

13. *Demands once more* that all factions in Liberia strictly respect the status of personnel of the Monitoring Group and the Mission, as well as of organizations and agencies delivering humanitarian assistance throughout Liberia, and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

14. *Commends* the efforts made by Member States, including those of neighbouring countries, and humanitarian organizations in providing emergency humanitarian assistance to Liberian refugees, and calls upon them to increase the efforts already made to handle the voluntary and rapid return of refugees in their countries and other aspects of humanitarian assistance;

15. *Encourages* the Organization of African Unity to continue its post-conflict peace-building collaboration with the Economic Community of West African States in promoting the cause of peace in Liberia;

16. *Expresses its appreciation* to the Secretary-General, his Special Representative and all Mission personnel for their tireless efforts to bring peace and reconciliation to Liberia;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 3577th meeting.

Decision

At its 3592nd meeting, on 10 November 1995, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

"Thirteenth progress report of the Secretary-General on the United Nations Observer Mission in Liberia (S/1995/881 and Add.1)".[19]

Resolution 1020 (1995)

of 10 November 1995

The Security Council,

Recalling all its previous resolutions concerning the situation in Liberia, in particular resolutions 866 (1993) of 22 September 1993 and 1014 (1995) of 15 September 1995,

Having considered the report of the Secretary-General of 23 October 1995 on the United Nations Observer Mission in Liberia,[20]

Commending the positive role of the Economic Community of West African States in its continuing efforts to restore peace, security and stability in Liberia,

Stressing the importance of full cooperation and close coordination between the Mission and the Economic Community of West African States Monitoring Group in the implementation of their respective mandates,

Noting the appreciable progress the Liberian parties have recently made towards the peaceful resolution of the conflict, including the re-establishment of a ceasefire, installation of the new Council of State and an agreement on a timetable for the implementation of the peace process from ceasefire to election,[18]

Noting also that the Liberian parties appear more determined than ever before to take tangible steps towards the restoration of peace and stability in their country,

Expressing its concern about the incidence of ceasefire violations and delays in the process of disengagement of forces,

Expressing its appreciation to those African States which have contributed and are contributing troops to the Monitoring Group,

Commending those Member States which have provided assistance in support of the peace process, including contributions to the United Nations Trust Fund for Liberia,

1. *Welcomes* the report of the Secretary-General of 23 October 1995;[20]

2. *Decides* to adjust the mandate of the United Nations Observer Mission in Liberia to be defined as follows:

(*a*) To exercise its good offices to support the efforts of the Economic Community of West African States and the Liberian National Transitional Government to implement the peace agreements and to cooperate with them for this purpose;

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[19] Ibid., *Supplement for October, November and December 1995.*

[20] Ibid., documents S/1995/881 and Add.1.

(*b*) To investigate all allegations of violations of the ceasefire reported to the Ceasefire Violations Committee, to recommend measures to prevent the recurrence of such violations and to report to the Secretary-General accordingly;

(*c*) To monitor compliance with the other military provisions of the peace agreements, including disengagement of forces, and disarmament and observance of the arms embargo and to verify their impartial application;

(*d*) To assist, as appropriate, in the maintenance of assembly sites agreed upon by the Economic Community of West African States Monitoring Group, the Transitional Government and the factions and in the implementation of a programme for demobilization of combatants, in cooperation with the Transitional Government, donor agencies and non-governmental organizations;

(*e*) To support, as appropriate, humanitarian assistance activities;

(*f*) To investigate and report to the Secretary-General on violations of human rights and to assist local human rights groups, as appropriate, in raising voluntary contributions for training and logistic support;

(*g*) To observe and verify the election process, in consultation with the Organization of African Unity and the Economic Community of West African States, including the legislative and presidential elections to be held in accordance with provisions of the peace agreements;

3. *Decides* that the number of military observers should be a maximum of one hundred and sixty;

4. *Welcomes*, in this context, the recommendations contained in the report of the Secretary-General concerning the new concept of operations for the Mission;

5. *Calls upon* all the Liberian parties to respect and implement fully and expeditiously all the agreements and commitments they have entered into, in particular with regard to the maintenance of the ceasefire, disarmament and demobilization of combatants, and national reconciliation, taking into account the fact that the restoration of peace and democracy in Liberia is primarily the responsibility of those parties which signed the Abuja Agreement on 19 August 1995;[18]

6. *Urges* Member States to provide additional support for the peace process in Liberia by contributing to the United Nations Trust Fund for Liberia, and in this regard encourages States that have pledged assistance to fulfil their commitments;

7. *Urges also* all Member States to provide financial, logistical and other assistance in support of the Monitoring Group to enable it to carry out its mandate, particularly with respect to assembly and disarmament of the Liberian factions;

8. *Welcomes* the commitments made at the Conference on Assistance to Liberia, held in New York on 27 October 1995;

9. *Reiterates* that continued support by the international community for the peace process in Liberia is contingent on the continued commitment by the Liberian parties to achieve national reconciliation in line with the peace process;

10. *Urges* the Transitional Government to take the necessary action to avoid further incidents of ceasefire violations and maintain the momentum of the peace process;

11. *Reminds* all States of their obligations to comply strictly with the embargo on all deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) and to bring all instances of violations of the arms embargo before the Security Council Committee established pursuant to resolution 985 (1995);

12. *Calls upon* the Monitoring Group, in accordance with the agreement regarding the respective roles and responsibilities of the Mission and the Monitoring Group in the implementation of the Cotonou Agreement[10] and the new concept of operations, to take necessary action to provide security for the observers and civilian staff of the Mission;

13. *Stresses* the need for close contacts and enhanced coordination between the Mission and the Monitoring Group in their operational activities at all levels;

14. *Demands once more* that all factions in Liberia strictly respect the status of personnel of the Monitoring Group and the Mission, as well as of organizations and agencies delivering humanitarian assistance throughout Liberia, and further demands that these factions facilitate such deliveries and that they strictly abide by applicable rules of international humanitarian law;

15. *Stresses* the need for improved coordination in carrying out the repatriation of refugees and the resettlement of internally displaced persons;

16. *Stresses also* the importance of respect for human rights in Liberia as well as the necessity to rehabilitate promptly the penitentiary system in this country;

17. *Requests* the Secretary-General to submit by 15 December 1995 a progress report on the situation in Liberia, including the implementation of the adjusted mandate of the Mission, as well as its new concept of operations;

18. *Expresses its appreciation* to the Secretary-General, his Special Representative and all Mission personnel for their tireless efforts to bring peace and reconciliation to Liberia;

19. *Decides* to remain seized of the matter.

Adopted unanimously at the 3592nd meeting.

Decision

In a letter dated 16 November 1995,[21] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 13 November 1995 concerning your intention to appoint Major-General Mahmoud Talha of Egypt as Chief Military Observer of the United Nations Observer Mission in Liberia[22] has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter."

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[21] S/1995/960.
[22] S/1995/959.

THE SITUATION CONCERNING WESTERN SAHARA[1]

Decision

At its 3490th meeting, on 13 January 1995, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Progress report of the Secretary-General on the situation concerning Western Sahara (S/1994/1420 and Add.1)".[2]

Resolution 973 (1995)

of 13 January 1995

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993 and 907 (1994) of 29 March 1994,

Recalling the statements by the President of the Security Council of 29 July[3] and 15 November 1994,[4]

Having considered the report of the Secretary-General of 14 December 1994,[5]

Welcoming the efforts of the Secretary-General during his visit to the region from 25 to 29 November 1994,

Committed to reaching a just and lasting solution of the question of Western Sahara,

Urging the two parties to cooperate fully with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara to ensure prompt and full implementation of the settlement plan,[6]

Noting the Secretary-General's judgement that the only way to complete identification and registration in a reasonable time is through a major reinforcement of personnel and other resources,

Concerned that the implementation of the settlement plan has been delayed and that, in the circumstances, the mandate of the Mission, like the other United Nations operations, should be subject to periodic consideration by the Council,

1. *Welcomes* the report of the Secretary-General of 14 December 1994 on the situation concerning Western Sahara;[5]

2. *Reiterates its commitment* to holding, without further delay, a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the settlement plan,[6] which has been accepted by the two parties;

3. *Calls upon* the two parties to cooperate fully with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara in their efforts to implement the settlement plan in accordance with the relevant Security Council resolutions and within the time-scale outlined in paragraphs 21 and 22 of the report of the Secretary-General;

4. *Welcomes* the fact that voter identification has begun and is continuing, albeit at a slow pace, and commends the Mission for the progress achieved thus far;

5. *Approves* the expansion of the Mission as proposed in paragraphs 17 to 19 of the report of the Secretary-General, and expresses the hope that every effort will be made to deploy the observers necessary to complete the identification process in a timely fashion in accordance with the settlement plan;

6. *Requests* the Secretary-General to report by 31 March 1995 to confirm the arrangements with regard to the logistic, personnel and other resources required for the deployment of the Mission at full strength, on his final plans for implementing all elements of the settlement plan and on the responses of the parties to his proposals in order to fulfil the United Nations mission in Western Sahara;

7. *Encourages* the Secretary-General to continue to make all possible efforts in order to create a propitious atmosphere conducive to a speedy and effective implementation of the settlement plan;

8. *Expects* to be able, on the basis of the report requested in paragraph 6 above, to confirm 1 June 1995 as the date for the start of the transitional period, with a view to holding the referendum in October 1995 and to bringing the mission to a successful conclusion shortly thereafter, in accordance with the settlement plan;

9. *Decides* that the mandate of the Mission should continue to 31 May 1995;

10. *Also decides* to consider the possible extension of the mandate of the Mission after 31 May 1995 on the basis of a further report from the Secretary-General and in the light of progress achieved towards the holding of the referendum and the implementation of the settlement plan;

11. *Requests* the Secretary-General to keep the Security Council fully informed of further developments in the implementation of the settlement plan during this period;

12. *Decides* to remain seized of the matter.

Adopted unanimously at the 3490th meeting.

Decisions

At its 3516th meeting, on 12 April 1995, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1995/240)".[7]

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[1] Resolutions or decisions on this question were also adopted by the Council in 1975, 1988 and 1990 to 1994.

[2] See *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994.*

[3] S/PRST/1994/39.

[4] S/PRST/1994/67.

[5] *Official Records of the Security Council, Forty-ninth Year, Supplement for October, November and December 1994*, documents S/1994/1420 and Add.1.

[6] Ibid., *Forty-fifth Year, Supplement for April, May and June 1990*, document S/21360; and ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22464.

[7] Ibid., *Fiftieth Year, Supplement for January, February and March 1995.*

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[8]

"The Security Council notes the report of the Secretary-General of 30 March 1995.[9] It welcomes progress achieved so far in the identification and registration process, in particular the acceleration in the rate of identification, and emphasizes the need to continue that acceleration. It endorses the Secretary-General's goal of achieving a rate of identification of at least 25,000 per month. However, the Council regrets that progress was not sufficient to enable the Secretary-General to recommend 1 June 1995 as the date for the commencement of the transitional period.

"The Council also notes with concern the delays resulting from the failure to ensure the continuous presence at the identification centres of the necessary sub-fraction representatives. It welcomes the agreement on a method for choosing alternative sub-fraction representatives when necessary and it expresses the hope that this will contribute to further acceleration of the process with a view to holding the referendum in January 1996. The Council supports the Secretary-General's call upon both parties to cooperate fully with the Identification Commission in the performance of its work, in particular by abandoning their insistence on strict reciprocity in the number of centres and on the linkage of a centre on one side with a specific centre on the other.

"The Council expresses its concern about the slow progress on the other aspects which are relevant to the fulfilment of the settlement plan[6] and must be implemented before the referendum can take place. It calls upon both parties to cooperate fully with the Secretary-General, with his Deputy Special Representative and with the United Nations Mission for the Referendum in Western Sahara and to coordinate such cooperation to ensure prompt and full implementation of all aspects of the settlement plan.

"The Council hopes to see continuous and rapid progress by the time of the next report of the Secretary-General in May 1995, which would enable it to consider favourably the possible extension of the mandate of the Mission."

At its 3540th meeting, on 26 May 1995, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1995/404)".[10]

Resolution 995 (1995)

of 26 May 1995

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993, 907 (1994) of 29 March 1994 and 973 (1995) of 13 January 1995,

Recalling the statement by the President of the Security Council of 12 April 1995,[8]

Taking note of the report of the Secretary-General of 19 May 1995,[11]

1. *Reiterates its commitment* to holding, without further delay, a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the settlement plan,[6] which has been accepted by the two parties;

2. *Commends* the progress in identifying potential voters since the beginning of the year;

3. *Expresses concern*, however, that certain practices identified in the report of the Secretary-General[11] are hampering further progress towards the implementation of the settlement plan, and underlines the need for the parties to heed the Secretary-General's call upon them to work with the United Nations Mission for the Referendum in Western Sahara in a spirit of genuine cooperation;

4. *Decides*, in this context, and with a view to accelerating the implementation of the settlement plan, to send a mission of the Security Council to the region;

5. *Decides also*, therefore, to extend at this stage the present mandate of the Mission until 30 June 1995;

6. *Decides further* to consider the further extension of the mandate of the Mission beyond 30 June 1995 in the light of the report of the Secretary-General of 19 May 1995[11] and the report of the Security Council mission referred to in paragraph 4 above;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3540th meeting.

Decisions

On 30 May 1995, the President of the Security Council issued the following note:[12]

"1. The President of the Security Council wishes to refer to resolution 995 (1995), adopted by the Security Council at its 3540th meeting, held on 26 May 1995, in connection with the situation concerning Western Sahara.

"2. In paragraph 4 of the resolution, the Security Council decided, with a view to accelerating the implementation of the settlement plan,[6] to send a mission of the Council to the region.

"3. Following consultations, the members of the Council have agreed that the mission will depart from New York on 3 June 1995, for a duration of approximately six days, and that it will be composed of the following six members of the Council: Argentina, Botswana, France, Honduras, Oman and United States of America.

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[8] S/PRST/1995/17.

[9] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, documents S/1995/240 and Add.1.

[10] Ibid., *Supplement for April, May and June 1995*.

[11] Ibid., document S/1995/404.

[12] S/1995/431.

"4. The members of the Council also agreed that the mission's terms of reference would be as follows:

"(*a*) To impress upon the parties the necessity of cooperating fully with the United Nations Mission for the Referendum in Western Sahara in the implementation of all aspects of the settlement plan and to underline the fact that any further delay would put the whole future of the Mission at risk;

"(*b*) To assess progress and identify problems in the identification process, bearing in mind the deadline for the referendum of January 1996;

"(*c*) To identify problems in other areas relevant to the fulfilment of the settlement plan (including the reduction of Moroccan troops, the confinement of troops of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro, the release of political prisoners and detainees, the exchange of prisoners of war and the return of refugees)."

At its 3550th meeting, on 30 June 1995, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Security Council mission to Western Sahara from 3 to 9 June 1995 (S/1995/498)".[10]

Resolution 1002 (1995)

of 30 June 1995

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993, 907 (1994) of 29 March 1994, 973 (1995) of 13 January 1995 and 995 (1995) of 26 May 1995,

Recalling the report of the Secretary-General of 19 May 1995,[11]

Welcoming the work of the mission of the Security Council undertaken from 3 to 9 June 1995 under the terms of reference set out in the note by the President of the Security Council of 30 May 1995,[12]

Having considered the report of the mission of the Security Council of 21 June 1995,[13]

Committed to reaching a just and lasting solution of the question of Western Sahara,

Concerned that the parties' continuing suspicion and lack of trust have contributed to delays in the implementation of the settlement plan,[6]

Noting that, for progress to be achieved, the two parties must have a vision of the post-referendum period,

Taking note of the letter dated 23 June 1995 from the Secretary-General of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the President of the Security Council,[14]

Taking note also of the letter dated 26 June 1995 from the Prime Minister and Minister for Foreign Affairs and Cooperation of the Kingdom of Morocco to the President of the Security Council,[15]

Urging the parties to cooperate fully with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara to ensure prompt and full implementation of the settlement plan,

Noting that, in his report of 19 May 1995, the Secretary-General has outlined benchmarks for assessing progress on certain aspects of the settlement plan, including the code of conduct, the release of political prisoners, the confinement of troops of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro and arrangements for the reduction of Moroccan troops in the territory in conformity with the settlement plan,

Noting also that the mission of the Council has provided recommendations for moving forward on the identification process and other aspects of the settlement plan, and stressing the need for the identification process to be carried out in accordance with the relevant provisions set out in the plan, in particular in paragraphs 72 and 73 thereof, as well as in the relevant resolutions of the Council,

1. *Welcomes* the report of the Secretary-General of 19 May 1995 on the situation concerning Western Sahara[11] and the report of 21 June 1995 of the mission of the Security Council to Western Sahara;[13]

2. *Reiterates its commitment* to holding, without further delay, a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the settlement plan[6] which has been accepted by the two parties referred to above;

3. *Expresses its concern* that, given the complexity of the tasks to be performed and the continuing interruptions caused by the two parties, implementation of the settlement plan has been further delayed;

4. *Calls upon* the two parties to work with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara in a spirit of genuine cooperation to implement the settlement plan in accordance with the relevant Council resolutions;

5. *Stresses* the need for the parties to refrain from any actions that hinder the implementation of the settlement plan, calls upon them to reconsider recent relevant decisions with a view to establishing confidence, and, in this regard, requests the Secretary-General to make every effort to persuade the two parties to resume their participation in the implementation of the settlement plan;

6. *Endorses* the Secretary-General's benchmarks described in paragraph 38 of his report of 19 May 1995;

7. *Endorses also* the recommendations of the mission of the Council, in paragraphs 41 to 53 of its report of 21 June 1995, concerning the identification process and other aspects of the settlement plan;

8. *Requests* the Secretary-General to report by 10 September 1995 on the progress achieved in accordance with paragraphs 5 and 6 above;

9. *Expects* to be able, on the basis of the report requested in paragraph 8 above, to confirm 15 November 1995 as the start of the transitional period, to allow the referendum to take place early in 1996;

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[13] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/498.

[14] Ibid., document S/1995/524.

[15] Ibid., document S/1995/514.

10. *Decides* to extend the mandate of the Mission until 30 September 1995 as recommended by the Secretary-General in his report of 19 May 1995;

11. *Decides also* to consider the possible extension of the mandate of the Mission after 30 September 1995 on the basis of the report of the Secretary-General requested in paragraph 8 above and in the light of progress achieved in accordance with paragraphs 5 and 6 above towards the holding of the referendum and the implementation of the settlement plan;

12. *Requests* the Secretary-General, in addition to the reports called for in paragraph 48 of the report of the Security Council mission, to keep the Council fully informed of further developments in the implementation of the settlement plan during this period, in particular of any significant delays in the pace of the identification process or other developments that would call into question the Secretary-General's ability to set the start of the transitional period on 15 November 1995;

13. *Decides* to remain seized of the matter.

Adopted unanimously at the 3550th meeting.

Decision

At its 3582nd meeting, on 22 September 1995, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General (S/1995/779)".[16]

Resolution 1017 (1995)

of 22 September 1995

The Security Council,

Reaffirming its resolutions 621 (1988) of 20 September 1988, 658 (1990) of 27 June 1990, 690 (1991) of 29 April 1991, 725 (1991) of 31 December 1991, 809 (1993) of 2 March 1993, 907 (1994) of 29 March 1994, 973 (1995) of 13 January 1995, 995 (1995) of 26 May 1995 and 1002 (1995) of 30 June 1995,

Reaffirming in particular its resolutions 725 (1991) and 907 (1994) relating to the criteria for voter eligibility and the compromise proposal of the Secretary-General on their interpretation,[17]

Having considered the report of the Secretary-General of 8 September 1995,[18] and noting further the fact that only two out of the eight identification centres are currently functioning,

Committed to reaching a just and lasting solution to the question of Western Sahara,

Reiterating the fact that, for progress to be achieved, the two parties must have a vision of the post-referendum period,

Expressing the hope for a rapid resolution of the problems causing delays in the completion of the identification process,

Expressing its regret that the outcome of the preliminary vetting by the Government of Morocco of the 100,000 applicants not residing in the territory is contributing to the inability of the United Nations Mission for the Referendum in Western Sahara to maintain its timetable for completing the identification process,

Expressing its regret also that the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro is refusing to participate in the identification, even within the territory, of three groups within the disputed tribal groupings, thus delaying completion of the identification process,

Taking note of paragraph 49 of the report of the Secretary-General of 8 September 1995,

Stressing the need for progress to be made on all other aspects of the settlement plan,[6]

Reaffirming its endorsement in its resolution 1002 (1995) of the recommendations of the mission of the Security Council concerning the identification process and other aspects of the settlement plan as described in paragraphs 41 to 53 of the report of the mission of 21 June 1995,[13]

1. *Reiterates its commitment* to the holding, without further delay, of a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the settlement plan,[6] which has been accepted by the two parties referred to above;

2. *Expresses its disappointment* that, since the adoption of resolution 1002 (1995), the parties have made insufficient progress towards the fulfilment of the settlement plan, including the identification process, the code of conduct, the release of political prisoners, the confinement of troops of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro and the arrangements for the reduction of Moroccan troops in the territory;

3. *Calls upon* the two parties to work henceforth with the Secretary-General and the United Nations Mission for the Referendum in Western Sahara in a spirit of genuine cooperation to implement the settlement plan in accordance with the relevant resolutions, to abandon their insistence on strict reciprocity in the operation of the identification centres and to cease all other procrastinating actions which could further delay the holding of the referendum;

4. *Requests* the Secretary-General, in close consultation with the parties, to produce specific and detailed proposals to resolve the problems hindering the completion of the identification process in the framework of the relevant Security Council resolutions, in particular resolution 907 (1994) relating to the compromise proposal of the Secretary-General[17] and resolution 1002 (1995) relating to the recommendations of the Security Council mission,[13] and to report on the outcome of his efforts in this regard by 15 November 1995;

5. *Decides* to review the arrangements for the completion of the identification process on the basis of the report requested in paragraph 4 above and to consider at that time any further measures which might need to be taken to en-

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[16] Ibid., *Supplement for July, August and September 1995.*

[17] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26185.

[18] Ibid., *Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/779.

sure the prompt completion of that process and of all the other aspects relevant to the fulfilment of the settlement plan;

6. *Decides* to extend the mandate of the Mission until 31 January 1996 as recommended by the Secretary-General in his report of 8 September 1995, and takes note of his intention, if, before then, he considers that the conditions necessary for the start of the transitional period are not in place, to present the Security Council with alternative options for consideration, including the possibility of the withdrawal of the Mission;

7. *Requests* the Secretary-General to report by 15 January 1996 on progress achieved towards the implementation of the settlement plan and to state in that report whether or not the transitional period will be able to begin by 31 May 1996;

8. *Stresses* the need to accelerate the implementation of the settlement plan, and urges the Secretary-General to examine ways of reducing the operational costs of the Mission;

9. *Stresses also* that the existing mechanism for the financing of the Mission remains unchanged, supports the invitation to Member States, by the General Assembly in its resolution 49/247 of 7 August 1995, to make voluntary contributions to the Mission, and requests the Secretary-General, without prejudice to existing procedures, to consider the establishment of a trust fund to receive such voluntary contributions for certain specific purposes to be designated by the Secretary-General;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the 3582nd meeting.

Decisions

In a letter dated 6 November 1995,[19] the President of the Security Council informed the Secretary-General of the following:

> "The members of the Security Council are grateful for your letter of 27 October 1995 about the United Nations Mission for the Referendum in Western Sahara.[20]
>
> "The members of the Council request you to continue your contacts with the parties on this matter and to report thereon in the framework of the report requested in paragraph 4 of resolution 1017 (1995) by 15 November 1995.
>
> "The members of the Council fully support your efforts and those of your Acting Special Representative to accelerate the identification process and to implement the settlement plan.[6] They urge both parties to cooperate fully with the Mission in order to overcome the delays in the identification process."

At its 3610th meeting, on 19 December 1995, the Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1995/986)".[21]

Resolution 1033 (1995)

of 19 December 1995

The Security Council,

Reaffirming all its previous resolutions on the question of Western Sahara,

Recalling the letter of the Secretary-General of 27 October 1995[20] and the reply of the President of the Security Council of 6 November 1995,[19]

Recalling the reports of the Secretary-General of 18 June 1990,[22] 19 April 1991,[23] 19 December 1991[24] and 28 July 1993,[17]

Having considered the report of the Secretary-General of 24 November 1995,[25]

Noting the response of the Government of Morocco to the proposal of the Secretary-General described in paragraph 10 of his report,

Noting also the response of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the proposal of the Secretary-General, described in paragraph 11 of his report,

Noting further other communications received by the Council on this subject,

Stressing that the Identification Commission will be able to carry out its work only if both parties place their trust in its judgement and integrity,

Stressing also the need for progress to be made on all other aspects of the settlement plan,[6]

Committed to reaching a just and lasting solution to the question of Western Sahara,

Reiterating the fact that, for progress to be achieved, the two parties must have a vision of the post-referendum period,

1. *Reiterates its commitment* to the holding, without further delay, of a free, fair and impartial referendum for self-determination of the people of Western Sahara in accordance with the settlement plan,[6] which has been accepted by the two parties mentioned above;

2. *Welcomes* the report of the Secretary-General of 24 November 1995[25] as a useful framework for his ongoing efforts aimed at accelerating and completing the identification process;

3. *Welcomes also* the decision of the Secretary-General to intensify his consultations with the two parties in order to obtain their agreement to a plan to resolve differences

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[19] S/1995/925.

[20] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/924.

[21] Ibid., *Supplement for October, November and December 1995.*

[22] Ibid., *Forty-fifth Year, Supplement for April, May and June 1990*, document S/21360.

[23] Ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22464.

[24] Ibid., *Supplement for October, November and December 1991*, document S/23299.

[25] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/986.

hindering the timely completion of the identification process;

4. *Requests* the Secretary-General to report to the Council on the results of those consultations on an urgent basis and, in the event those consultations fail to reach agreement, to provide the Council with options for its consideration, including a programme for the orderly withdrawal of the United Nations Mission for the Referendum in Western Sahara;

5. *Calls upon* the two parties to work with the Secretary-General and the Mission in a spirit of genuine cooperation to implement all the other aspects of the settlement plan, in accordance with the relevant resolutions;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 3610th meeting.

THE SITUATION IN ANGOLA[1]

Decisions

In a letter dated 13 January 1995,[2] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 6 January 1995 concerning additions to the list of countries contributing military personnel to the United Nations Angola Verification Mission[3] has been brought to the attention of the members of the Council. They note the information contained in the letter and agree with the proposal contained therein."

At its 3499th meeting, on 8 February 1995, the Council decided to invite the representatives of Algeria, Angola, Brazil, Guinea-Bissau, India, Kenya, Lesotho, Malawi, Mozambique, Namibia, the Netherlands, Norway, Portugal, Senegal, South Africa, Spain, Sweden, Tunisia, the United Republic of Tanzania, Zaire, Zambia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM II) (S/1995/97 and Add.1)".[4]

At the same meeting, the Council decided, at the request of the representative of Nigeria,[5] to extend an invitation to Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity, under rule 39 of the Council's provisional rules of procedure.

Resolution 976 (1995)

of 8 February 1995

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 1 February 1995,[6]

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Welcoming the signing of the Lusaka Protocol on 20 November 1994[7] as a major step towards the establishment of peace and stability in Angola,

Reiterating the importance it attaches to the full implementation of the "Acordos de Paz",[8] the Lusaka Protocol and relevant Security Council resolutions,

Noting the schedule for implementation set forth in the Lusaka Protocol, in particular the need for the Government of Angola and the União Nacional para a Independência Total de Angola to provide all relevant military data to the United Nations, to allow freedom of movement and free circulation of goods, and to begin limited disengagement where forces are in contact,

Welcoming the maintenance of a ceasefire which has been generally holding,

Welcoming also the progress made in meetings of the Chiefs of Staff of the Angolan Armed Forces and the União Nacional para a Independência Total de Angola on 10 January 1995 in Chipipa and on 2 and 3 February 1995 in Waco Kungo,

Welcoming further the deployment of observer forces of the United Nations Angola Verification Mission II and the contributions of Member States to the Mission,

Welcoming the offer by the Government of Angola to provide substantial contributions in kind to United Nations peacekeeping operations in Angola as set out in the document entitled "Cost of the Implementation of the Lusaka Protocol",[9]

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[2] S/1995/37.

[3] S/1995/36.

[4] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*.

[5] Document S/1995/123, incorporated in the record of the 3499th meeting.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, documents S/1995/97 and Add.1.

[7] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1441.

[8] Ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22609.

[9] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1451.

Deeply concerned that the implementation of the Lusaka Protocol has fallen behind schedule,

Stressing the need for the President of Angola, José Eduardo dos Santos, and the leader of the União Nacional para a Independência Total de Angola, Jonas Savimbi, to meet without delay with a view to building the necessary political momentum for the successful implementation of the Lusaka Protocol,

Welcoming the ministerial delegation of the Organization of African Unity to the Security Council to participate in its consideration of the situation in Angola,

1. *Authorizes* the establishment of a peacekeeping operation, the United Nations Angola Verification Mission III, to assist the parties in restoring peace and achieving national reconciliation in Angola on the basis of the "Acordos de Paz",[8] the Lusaka Protocol[7] and relevant Security Council resolutions, as outlined in section IV of the report of the Secretary-General of 1 February 1995,[10] with an initial mandate until 8 August 1995 and with a maximum deployment of 7,000 military personnel, in addition to the 350 military observers and 260 police observers mentioned in the report of the Secretary-General, and an appropriate number of international and local staff;

2. *Urges* the expeditious deployment of the military and police observers to monitor the ceasefire;

3. *Authorizes* the immediate deployment of such planning and support elements as are needed to prepare for the deployment of peacekeeping forces, provided that the Secretary-General remains satisfied that an effective ceasefire and effective joint ceasefire monitoring mechanisms are in place and that both parties are allowing the free and safe flow of humanitarian assistance throughout the country, and authorizes the subsequent deployment of such additional elements as are necessary to establish operational quartering areas for the forces of the União Nacional para a Independência Total de Angola;

4. *Decides* that the deployment of infantry units will take place on the basis of a report from the Secretary-General to the Security Council that the conditions contained in paragraph 32 of the report of the Secretary-General, *inter alia*, effective cessation of hostilities, provision of all relevant military data and designation of all quartering areas, have been met, provided the Council does not decide otherwise;

5. *Stresses* the importance it attaches to the expeditious establishment of a well-coordinated and comprehensive mine-clearance programme in Angola as set out in the report of the Secretary-General, and requests him to inform the Council of progress in its implementation;

6. *Endorses* the Secretary-General's view set out in his report as to the need for the Mission to have an effective information capability, including a United Nations radio station to be established in consultation with the Government of Angola;

7. *Requests* the Secretary-General to inform the Council monthly of progress in the deployment of the Mission and in implementation of the Lusaka Protocol, including the maintenance of an effective ceasefire, free access by the Mission to all areas of Angola, free flow of humanitarian assistance throughout Angola and compliance by both the Government of Angola and by the União Nacional para a Independência Total de Angola with their obligations under the Lusaka Protocol, and also requests the Secretary-General to submit to the Council a complete report by 15 July 1995;

8. *Welcomes* the Secretary-General's intention to include human rights specialists in the political component of the Mission to observe the implementation of the provisions related to national reconciliation;

9. *Expresses its intention* to review the role of the United Nations in Angola should the Secretary-General report that the cooperation required from the parties is substantially delayed or not forthcoming;

10. *Declares its intention* to conclude the Mission when the objectives of the Lusaka Protocol have been achieved in accordance with the schedule attached to the Lusaka Protocol and with the expectation of its completion by February 1997;

11. *Welcomes* the substantial contributions of Member States, United Nations agencies and non-governmental organizations to meet the humanitarian needs of the Angolan people, and encourages additional substantial contributions;

12. *Reaffirms* the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) of 15 September 1993, and calls upon the Government of Angola and the União Nacional para a Independência Total de Angola during the presence of the Mission in Angola to cease any acquisition of arms and war *matériel*, as agreed upon in the "Acordos de Paz", and to devote their resources instead to priority humanitarian and social needs;

13. *Calls upon* the Government of Angola to conclude no later than 20 March 1995 an agreement with the United Nations on the status of forces;

14. *Encourages* the Secretary-General to pursue urgently the offer of direct assistance by the Government of Angola to the Mission, to reflect this as appropriate in the status-of-forces agreement referred to in paragraph 13 above, and to explore with the Government of Angola and the União Nacional para a Independência Total de Angola possibilities for substantial additional assistance related to peacekeeping and to report to the Council on the results of these explorations;

15. *Urges* Member States to respond positively to the request made to them by the Secretary-General to contribute personnel, equipment and other resources to the Mission in order to facilitate its early deployment;

16. *Demands* that all concerned in Angola take the necessary measures to ensure the safety and freedom of movement of United Nations and other personnel deployed under the Mission;

17. *Welcomes* the presence of the Organization of African Unity ministerial delegation, and notes, in this connection, the need for continued cooperation between the United Nations and the Organization of African Unity in the promotion of peace and security in Angola and the contribution which regional organizations can make to crisis management and conflict resolution;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3499th meeting.

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[10] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/97.

Decisions

At its 3508th meeting, on 10 March 1995, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"First progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/177)".[4]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[11]

"The Security Council has considered the report of the Secretary-General of 5 March 1995 on the United Nations Angola Verification Mission III.[12]

"The Council welcomes the assessment by the Secretary-General that the ceasefire is generally holding. It also welcomes the continued deployment of United Nations military and police observers to sites outside Luanda. It notes, however, that this deployment has been complicated by a lack of full cooperation by the parties, in particular the União Nacional para a Independência Total de Angola. In the month since its adoption of resolution 976 (1995), a number of developments have taken place which give rise to serious concern. These include the lack of progress in disengagement around Uige and Negage, the escalation of tensions in the last few weeks, especially in the northern region, the lack of security clearances to visit certain areas and restrictions on movement of Mission personnel, attacks on villages, mine-laying, unauthorized movement of troops and military air activity, and attacks on United Nations aircraft, in particular that by the União Nacional para a Independência Total de Angola in Quibaxe on 13 February 1995. The Council calls upon the parties, particularly the União Nacional para a Independência Total de Angola, to refrain from such activities, to end negative propaganda, to improve their cooperation with each other and the United Nations through the Joint Commission and to cooperate fully with humanitarian operations.

"The Council reiterates its call upon President dos Santos and Mr. Savimbi to meet without delay as a sign of their joint commitment to the peace process and urges the Government of Angola and the União Nacional para a Independência Total de Angola to finalize arrangements towards this end immediately, with a view to ensuring the necessary political momentum for the successful implementation of the Lusaka Protocol.[7] It also encourages the observer States to the peace process, the Organization of African Unity and the neighbouring countries involved to continue their efforts aimed at the full implementation of the peace process.

"The Council reaffirms the obligations of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) and reiterates its call upon the Government of Angola and the União Nacional para a Independência Total de Angola to cease the acquisition of arms and war *matériel* as agreed in the 'Acordos de Paz'.[8]

"The Council notes that the United Nations is currently pursuing with the Government of Angola the provision of critical services and access to key facilities such as ports and airports for the Mission. Early and positive responses from the Government of Angola to the United Nations requirements in this respect are essential to the deployment of the Mission. It calls upon both parties to expedite the completion of the initial tasks in order to ensure the prompt deployment of Mission units. The Council reiterates the importance it attaches to the Government of Angola and the United Nations agreeing on a status-of-forces agreement by 20 March 1995 as called for in paragraph 13 of its resolution 976 (1995). It will continue to monitor closely developments in these areas.

"The Council commends the United Nations agencies and non-governmental organizations for their continuing efforts to distribute humanitarian relief throughout Angola. It reiterates the importance it attaches to a well-coordinated and comprehensive mine clearance programme which will, *inter alia*, improve the logistics of humanitarian operations. It calls upon both parties to cooperate with the United Nations and with the non-governmental organizations to put this in place. It deplores the killing on 2 March of three Angolans and one German, all members of the 'Cap Anamur' non-governmental organization involved in demining activities, as well as attacks in the last month on aircraft and road transport of the International Committee of the Red Cross and reminds the parties of its repeated demands that they refrain from all actions which could jeopardize the safety of humanitarian personnel in Angola.

"The Council endorses the Secretary-General's conclusions that the Government of Angola and the União Nacional para a Independência Total de Angola must provide more concrete signs of cooperation and goodwill in the implementation of the peace process. It reminds the parties that the deployment of the Mission units will not take place unless the conditions contained in paragraph 32 of his report of 1 February 1995[10] have been met. It has taken careful note of the Secretary-General's statement in paragraph 25 of his report of 5 March 1995,[12] that, unless he can report by 25 March 1995 that the parties have complied with those conditions, it will not be possible to ensure that deployment begins on 9 May 1995. Time is short if the opportunity created by the Lusaka Protocol and resolution 976 (1995) is not to be lost. The Council joins the Secretary-General in calling upon the parties to take the necessary steps now to ensure that deployment of these units can begin as planned on 9 May 1995. It requests the Secretary-General to keep it closely informed of developments in this regard."

In a letter dated 17 March 1995,[13] the President of the Security Council informed the Secretary-General of the following:

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[11] S/PRST/1995/11.

[12] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/177.

[13] S/1995/205.

"I have the honour to inform you that your letter dated 14 March 1995 concerning additions to the list of countries contributing military personnel to the United Nations Angola Verification Mission III[14] has been brought to the attention of the members of the Council. They note the information contained in the letter and agree with the proposal contained therein."

At its 3518th meeting, on 13 April 1995, the Council considered the item entitled:

"The situation in Angola

Second progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/274)".[15]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[16]

"The Security Council has considered the progress report of the Secretary-General of 7 April 1995 on the United Nations Angola Verification Mission III.[17]

"The Council welcomes the confirmation by the Secretary-General that the ceasefire is generally holding and that the level of ceasefire violations has remained relatively low. It also welcomes the continued deployment of military and police observers of the Mission to team sites and regional headquarters outside Luanda, and the progress reported by him in a number of important areas, including liaison with the União Nacional para a Independência Total de Angola, the completion of the first phase of disengagement and discussions of the modalities for the incorporation of the União Nacional para a Independência Total de Angola into the national army. It commends the parties for their efforts in this regard.

"The Council notes that a number of developments give cause for concern. These include reports of continuing military actions and preparations, in particular the attack on the airstrip at Andulo by the Angolan air force, the failure to complete the second phase of disengagement by 10 April 1995, some restrictions on the Mission's access to government military facilities and recent attacks on the personnel of the Mission and non-governmental organizations. It welcomes the improved access by the Mission to areas controlled by the União Nacional para a Independência Total de Angola but notes that some local commanders of the União Nacional para a Independência Total de Angola continue to impose restrictions on the movement of Mission personnel and calls upon the União Nacional para a Independência Total de Angola to ensure unrestricted access.

"The Council calls upon the parties to cooperate fully with the United Nations, in particular through the Joint Commission, and to ensure the safety of the personnel of the Mission and non-governmental organizations. It notes with satisfaction that the members of the Joint Commission, including representatives of the Government of Angola, met Mr. Savimbi in Bailundo on 7 April and that at that meeting he publicly confirmed his commitment to the Lusaka Protocol.[7] It reiterates its call for a meeting between President dos Santos and Mr. Savimbi as a matter of urgency because such a meeting may help to improve the climate of trust and give new impetus to the peace process in Angola.

"The Council welcomes the Secretary-General's decision to proceed with preparations for the deployment of infantry units of the Mission.[18] It notes that he has reminded the Angolan parties that they must implement without delay the requirements of the Lusaka Protocol, provide the Mission with the indispensable logistic support and undertake essential tasks such as mine clearance, the repair of major transport routes and the designation of quartering areas, to make it possible for United Nations infantry battalions to deploy to Angola in May 1995. The Council fully supports the Secretary-General in this regard and emphasizes the need for full implementation of the Lusaka Protocol. It welcomes his intention to deploy the infantry battalions in stages. It stresses the importance it attaches to the Government of Angola providing the logistic support envisaged for the Mission. In this context, it welcomes the agreement of the Government of Angola to allow the United Nations full operational access to the Catumbela airfield and calls upon the Government of Angola to ensure that this arrangement is extended for as long as required by the Mission. It also welcomes the intention of the Government of Angola to conclude, by 15 April 1995, a status-of-forces agreement with the United Nations.

"The Council reaffirms the obligation of all States to implement fully the provisions of paragraph 19 of resolution 864 (1993) and states that the continuing flow of arms into Angola contrary to the provisions of the 'Acordos de Paz'[8] and resolution 976 (1995) contributes to the country's instability and undermines efforts at confidence-building.

"The Council is encouraged that the Secretary-General has been able to report overall progress in the humanitarian situation in the month since his last report to the Council. It calls upon the parties to continue to facilitate access to all areas of the country for the delivery of humanitarian assistance. It calls once again upon the parties to respect the safety and security of all humanitarian personnel in Angola. It endorses the call upon the parties by the three observer States to the Angolan peace process[19] to cooperate fully in releasing all war-related detainees through the International Committee of the Red Cross, as well as all captured foreign citizens or to provide information about their fate.

"While the Council notes the progress made in the implementation of the comprehensive mine action programme, it also takes note of the statement in the report of the Secretary-General that the mine situation in Angola remains critical. The Council therefore urges both parties to support and facilitate mine clearance and to comply fully with the relevant provisions of the Lusaka

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[14] S/1995/204.

[15] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[16] S/PRST/1995/18.

[17] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/274.

[18] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/230.

[19] Ibid., document S/1995/239.

Protocol. In this context, it welcomes the statement by the Special Representative of the Secretary-General following the 13th meeting of the Joint Commission that the Government of Angola and the União Nacional para a Independência Total de Angola have pledged to put 800 and 400 personnel, respectively, at the disposal of the Mission for mine-clearance activities.

"The Council will continue to monitor the situation in Angola closely. It looks forward to the next monthly report of the Secretary-General and requests him, in the meantime, to ensure that it is kept informed of developments in Angola and on prospects for the prompt deployment of the infantry battalions of the Mission."

At its 3534th meeting, on 11 May 1995, the Council considered the item entitled:

"The situation in Angola

"Third progress report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/350)".[15]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[20]

"The Security Council has considered the third progress report of the Secretary-General of 3 May 1995 on the United Nations Angola Verification Mission III[21] and the oral briefing by the Secretariat.

"The Council welcomes the positive developments in Angola. It welcomes in particular the meeting in Lusaka on 6 May 1995 between President dos Santos and Mr. Savimbi, which took place in a positive atmosphere and gave new impetus to the consolidation of the peace process and the furthering of national reconciliation in Angola. The Council commends the efforts of the Special Representative of the Secretary-General, of the observer States to the Angolan peace process, of States of the region and, in particular, of the President of Zambia, which assisted in bringing about this meeting. It expresses the hope that the meeting will mark the beginning of a regular and constructive dialogue between the President of Angola and the leader of the União Nacional para a Independência Total de Angola.

"The Council notes with satisfaction the progress in the implementation of the Lusaka Protocol[7] concerning, *inter alia*, the reduction of ceasefire violations, the disengagement of forces, the cooperation among the parties and the Mission, the signing of the status-of-forces agreement and the providing of logistic facilities for the Mission. The Council welcomes the ongoing deployment of support units of the Mission and stresses the importance of a timely deployment of the infantry battalions of the Mission.

"The Council is however concerned by the slow progress in other areas. It stresses the necessity for the increased cooperation of the Government and the União Nacional para a Independência Total de Angola with the United Nations in carrying out all major provisions of the Lusaka Protocol and relevant Council resolutions. While welcoming the release of the first group of prisoners, the Council urges the parties to expedite this process. Urgent attention should be given to the quartering of soldiers of the União Nacional para a Independência Total de Angola by the parties as well as the United Nations and the withdrawal of government troops to their barracks in order to permit the incorporation of troops of the União Nacional para a Independência Total de Angola within the national army and police in accordance with the Lusaka Protocol. The Council stresses also the importance of the completion of the disengagement process and the improvement of communication links with the União Nacional para a Independência Total de Angola in all regions. It recalls the conditions set forth in Council resolution 976 (1995) for the deployment of infantry units and calls upon the parties in Angola to take all necessary steps to ensure that these conditions are met promptly for the timely deployment of sustainable infantry units throughout Angola capable of fully discharging their mandated tasks.

"The Council particularly underlines the urgency of a mine-clearance programme and calls upon the parties to provide, as promised, the funds and equipment necessary in order for the programme to become operational and to begin mine-sweeping operations on major roads under their control. The demining, the opening of major roads and repair of airfields and other infrastructure are of crucial importance for the expeditious deployment of infantry units of the Mission, the distribution of humanitarian aid and the return of displaced persons to their places of origin. The Council invites the donors as well as the United Nations and its agencies and non-governmental organizations to support actively demining actions.

"The Council notes with satisfaction the amelioration of the humanitarian situation in Angola and calls upon the parties to cooperate without restriction with the United Nations and other humanitarian international organizations to facilitate the distribution of aid in all the regions and to intensify their efforts to guarantee the security of humanitarian transports and of personnel of the Mission. It requests Member States to continue to support the ongoing humanitarian activities in Angola and to disburse as soon as possible the contributions pledged during the donors' meeting in February 1995.

"The Council will continue to monitor the situation in Angola closely and looks forward to the next monthly report of the Secretary-General."

In a letter dated 15 June 1995,[22] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have discussed your fourth progress report on the United Nations Angola Verification Mission (UNAVEM III).[23] They welcome the positive developments in Angola that you reported, including continued maintenance of the ceasefire, the start of the deployment of United Nations infantry battalions, the decision on the future strength of the Angolan Armed Forces and improved access to all parts of the country for humanitarian assistance. They strongly support the ongoing dialogue between the two Angolan parties and encourage a further meeting between President dos Santos and Mr. Savimbi.

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[20] S/PRST/1995/27.

[21] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/350.

[22] S/1995/487.

[23] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/458.

"The members of the Council note with concern that, despite considerable progress in the implementation of the Lusaka Protocol,[7] the peace process is still behind schedule. The members of the Council remain concerned at the problem of mines in the country. Lack of progress in mine clearance has an impact not only on the deployment of the United Nations Angola Verification Mission III but also on the ability of the population to return to their homes and resume agricultural activity. The members of the Council therefore endorse your call upon the parties to reinforce their recent actions in the fields of mine clearance and road and bridge repair. They agree that the international community should support these vital efforts. They also support your appeal to the parties to work out modalities for the formation of the new integrated armed forces and to begin preparations for the quartering of the troops of the União Nacional para a Independência Total de Angola and the withdrawal of the rapid reaction police to barracks.

"The members of the Council learned with distress that, in two tragic incidents, a United Nations police observer lost his life and a United Nations military observer was wounded. In this connection, they recall the responsibility of the parties for the safety and security of all United Nations personnel in Angola.

"The members of the Council will continue to monitor the situation in Angola and look forward to your next report."

In a letter dated 4 August 1995,[24] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 1 August 1995 concerning additions to the list of Member States contributing military personnel to the United Nations Angola Verification Mission III[25] has been brought to the attention of the members of the Council. They agree with the proposal contained in the letter."

At its 3562nd meeting, on 7 August 1995, the Council decided to invite the representatives of Angola and Brazil to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/588)".[26]

Resolution 1008 (1995)

of 7 August 1995

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Having considered the report of the Secretary-General of 17 July 1995,[27]

Welcoming the briefing by the Secretary-General on 25 July 1995 on his recent visit to Angola,

Reaffirming its commitment to preserve the unity and territorial integrity of Angola,

Reiterating the importance it attaches to the full implementation by the Government of Angola and the União Nacional para a Independência Total de Angola of the "Acordos de Paz",[8] the Lusaka Protocol[7] and relevant Security Council resolutions,

Noting the agreement reached between the Government of Angola and the União Nacional para a Independência Total de Angola on the adjusted and accelerated timetable for the implementation of the Lusaka Protocol,

Commending the continued efforts of the Secretary-General, his Special Representative, the three observer States to the Angolan peace process and the personnel of the United Nations Angola Verification Mission III to facilitate the implementation of the Lusaka Protocol and to consolidate the ceasefire and the peace process which has entered a new and promising phase,

Noting that the situation in most of the country is fairly calm, but concerned at the number of ceasefire violations,

Welcoming the meeting at Lusaka on 6 May 1995 between the President of Angola, José Eduardo dos Santos, and the leader of the União Nacional para a Independência Total de Angola, Jonas Savimbi, which led to the diminishing atmosphere of mistrust and the intensification of high-level contacts between the Government of Angola and the União Nacional para a Independência Total de Angola,

Recognizing that the progressive deployment of United Nations military and police observers and troops has significantly contributed to the consolidation of the ceasefire,

Welcoming the commitment of the international community to assist and support the economic, social and reconstruction efforts of Angola, and recognizing the importance of such assistance in sustaining a secure and stable environment,

Expressing concern at reports of human rights violations, and recognizing the contribution that human rights monitors can make in building confidence in the peace process,

1. *Welcomes* the report of the Secretary-General of 17 July 1995;[27]

2. *Decides* to extend the mandate of the United Nations Angola Verification Mission III until 8 February 1996;

3. *Commends* the Government of Angola and the União Nacional para a Independência Total de Angola for their commitment to the peace process, and notes the progress made thus far in the implementation of the Lusaka Protocol;[7]

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[24] S/1995/649.

[25] S/1995/648.

[26] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995.*

[27] Ibid., document S/1995/588.

4. *Expresses concern* at the slow pace in the implementation of the Lusaka Protocol, in particular troop disengagement, demining and the establishment of quartering areas, and expects the Government of Angola and the União Nacional para a Independência Total de Angola, in cooperation with the Mission, to finalize arrangements for the establishment of quartering areas, complete troop disengagement and expedite the conduct of demining;

5. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to adhere strictly to the revised timetable for the implementation of the Lusaka Protocol and make concerted efforts to accelerate that process;

6. *Stresses* the importance of the completion of the electoral process, as provided for in the Lusaka Protocol;

7. *Calls upon* the Government of Angola and the União Nacional para a Independência Total de Angola to adopt without further delay a comprehensive and workable programme for the formation of the new armed forces, and to accelerate the exchange of prisoners and the repatriation of mercenaries with a view to reinforcing the freedom of movement of people throughout the country;

8. *Takes note* of the progress noted by the Secretary-General in the establishment of triangular communications between the Angolan parties and the Mission, and requests the Government of Angola and the União Nacional para a Independência Total de Angola to assign urgently liaison officers to the regional headquarters of the Mission;

9. *Urges* the two parties to put an immediate and definitive end to the renewed laying of mines and to reported unauthorized movement of troops;

10. *Requests* the Secretary-General to continue the deployment of infantry units of the Mission and accelerate it as conditions for sustaining and employing troops improve, with the objective of reaching full strength as soon as possible;

11. *Urges* the Government of Angola and the União Nacional para a Independência Total de Angola to provide the Mission with the necessary information and ensure its freedom of movement, including full unimpeded access to all military facilities, to enable it effectively to discharge its mandate;

12. *Requests* the Secretary-General to report on his analysis on the completion of the objectives of the Lusaka Protocol and of the mandate of the Mission, in the light of the alterations in the timetable for its deployment;

13. *Stresses* the need for the dissemination of objective information through Radio UNAVEM and for the Government of Angola to provide all facilities for the prompt functioning of the Radio;

14. *Stresses* the importance it attaches to the disarmament of the civilian population, and urges that it begin without further delay;

15. *Notes with concern* increasing levels of violence perpetrated by unaffiliated groups, and calls upon all parties to seek to control and disarm these threats to the peace process;

16. *Authorizes* the Secretary-General to increase as appropriate the strength of the human rights unit of the Mission;

17. *Commends* Member States, United Nations agencies and non-governmental organizations for their substantial contributions to meet the humanitarian needs of the Angolan people;

18. *Demands* that the Government of Angola and the União Nacional para a Independência Total de Angola take necessary measures to ensure the safe passage of humanitarian supplies throughout the country;

19. *Requests* the Government of Angola to continue providing substantial contributions to the United Nations peacekeeping operations, and calls upon the União Nacional para a Independência Total de Angola to make every effort to contribute proportionally in order to assist with the United Nations peacekeeping operation in Angola;

20. *Endorses* the Secretary-General's appeal, and encourages donors to respond with generous and timely financial contributions to the humanitarian effort and provision of mine clearance, bridging and road repair equipment and materials and other supplies necessary for setting up the quartering areas;

21. *Endorses also* the Secretary-General's intention to submit a comprehensive report to the Council every two months;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3562nd meeting.

Decisions

In a letter dated 8 August 1995,[28] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 4 August 1995 concerning the appointment of Major-General Phillip Valerio Sibanda of Zimbabwe to succeed Major-General Chris Abutu Garuba as Force Commander of the United Nations Angola Verification Mission III[29] has been brought to the attention of the members of the Council. They take note of the information contained in your letter and agree with the proposal made therein."

At its 3586th meeting, on 12 October 1995, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/842)".[30]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[31]

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[28] S/1995/669.

[29] S/1995/668.

[30] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[31] S/PRST/1995/51.

"The Security Council welcomes the report of the Secretary-General of 4 October 1995 on the United Nations Angola Verification Mission III pursuant to paragraph 21 of Council resolution 1008 (1995) of 7 August 1995.[32]

"The Council has noted the positive developments in Angola since the report of the Secretary-General of 17 July 1995.[27] The Council is encouraged by the meetings in Franceville, Gabon, and Brussels between President dos Santos and Mr. Savimbi which provided the opportunity to discuss the critical issues and reach agreement on consolidation of the peace process. These meetings, particularly the round table in Brussels, provided important reassurance to the international community. The Council welcomes the continued commitment of both parties to the process of dialogue. The Council commends the efforts of the Secretary-General and his Special Representative, of the observer States to the Angolan peace process and of States in the region to help in carrying forward the process.

"The Council notes with satisfaction the progress in the implementation of the Lusaka Protocol,[7] including the reduction of ceasefire violations, the disengagement of forces, the enhanced cooperation between the parties and the Mission, the signing of the status-of-forces agreement, the provision of logistic facilities for the Mission and the conclusion of the joint declaration on the free circulation of persons and goods. The Council also welcomes the ongoing deployment of Mission support units and stresses the importance of a timely deployment of the infantry battalions of the Mission. The Council stresses the importance of an independent Mission radio and urges the Government of Angola to provide, without delay, the facilities to allow it to operate.

"The Council nonetheless remains concerned at delays in the peace process, in particular in respect of quartering of the União Nacional para a Independência Total de Angola and the rapid reaction police, demining, disarmament, the return of the Angolan Armed Forces to barracks and the formation of the new armed forces as well as the repatriation of mercenaries. The Council underscores the peril that may result from further delays. The Council is also deeply concerned at allegations of renewed laying of mines and demands that all parties refrain from such actions.

"The Council emphasizes that continuing cooperation between the parties is essential if a sustained cessation of hostilities is to take hold. In this regard, the Council calls upon the parties to refrain from troop movements or military activities that might create tension or lead to renewed hostilities.

"The Council is concerned about the continuing complaints of human rights violations and endorses the decision of the Joint Commission to inscribe human rights in the agenda of all its regular sessions.

"The Council wishes to emphasize that post-peacekeeping elements can make an important contribution to a viable long-term peace. The Council notes the linkage between political and economic well-being and the need to ensure that displaced people and refugees are able to return to their places of origin. The Council reaffirms the Secretary-General's call for a comprehensive, coordinated and integrated effort on the part of all relevant international organizations to help to rebuild the Angolan economic infrastructure. The Council requests Member States to continue to support the ongoing humanitarian activities in Angola. It welcomes the commitments made at the Round Table Conference, held at Brussels in September 1995, and urges those that have made pledges to fulfil their commitments as soon as possible.

"The Council will continue to monitor closely the situation in Angola and looks forward to future reports of the Secretary-General."

In a letter dated 1 November 1995,[33] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 27 October 1995 concerning an addition to the list of Member States contributing military personnel to the United Nations Angola Verification Mission III[34] has been brought to the attention of the members of the Council. They agree with the proposal contained in the letter."

At its 3598th meeting, on 28 November 1995, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[35]

"The Security Council welcomes the joint communiqué issued by the Government of Angola and the União Nacional para a Independência Total de Angola on 13 November 1995[36] in which they reaffirmed their commitment to the peace process. The Council is pleased to note that some of the steps necessary to carry out the provisions of the Lusaka Protocol[7] have been taken recently, including the resumption of the military talks in Luanda and the movement of the first combatants of the União Nacional para a Independência Total de Angola to quartering areas on 20 November 1995, the first anniversary of the signing of the Lusaka Protocol. The Council underlines the need for the quartering process to be completed as soon as possible.

"The Council, however, notes that despite these positive steps there continue to be ceasefire violations, importation of weapons, restrictions on freedom of movement and the presence of mercenaries. The Council stresses that much remains to be done urgently to implement fully the Lusaka Protocol, including strict observance of the ceasefire, the continuation of the quartering process, the quartering of the rapid reaction police, the return of the Angolan Armed Forces to defensive positions and the resolution of questions regarding the modalities of military integration. The Council calls upon the Government of Angola and the União Nacional para a Independência Total de Angola to continue to cooperate with the United Nations Angola Verification Mission III and to respect fully the status and security of international personnel.

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[32] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/842.

[33] S/1995/913.

[34] S/1995/912.

[35] S/PRST/1995/58.

[36] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/991.

"The Council will follow developments in Angola closely and looks forward to receiving the comprehensive report of the Secretary-General on the situation in Angola by 8 December 1995."

At its 3614th meeting, on 21 December 1995, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

Report of the Secretary-General on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/1012)".[30]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[37]

"The Security Council has considered the report of the Secretary-General of 7 December 1995 on the United Nations Angola Verification Mission III, submitted pursuant to paragraph 21 of Council resolution 1008 (1995) of 7 August 1995.[38]

"The Council reiterates its concern at the slow progress in implementation of the provisions of the Lusaka Protocol.[7] The Council stresses the importance of full implementation of the political and all other aspects of the peace process. It underlines that several important tasks that were to have been resolved in the early stages of the peace process remain incomplete, including the exchange of detailed military information, the release of all prisoners, the redeployment of those government troops near quartering areas of the União Nacional para a Independência Total de Angola and the final resolution of the issue of mercenaries. In this respect, the Council welcomes the recent announcement by the Government of Angola that it will terminate the contract and repatriate the personnel of the firm involved and will release all remaining prisoners.

"The Council notes that the deployment of Mission troops is nearly complete and that four quartering areas are prepared to receive troops. The Council expresses its disappointment at the slow pace at which the quartering process has proceeded. It calls upon the União Nacional para a Independência Total de Angola and the Government of Angola to fulfil their commitments regarding the expeditious quartering and demobilization of former combatants, the quartering of the rapid reaction police and the return of the Angolan Armed Forces to the nearest barracks.

"The Council expresses deep concern at the delays in establishing modalities for the integration of the armed forces, which is vital for the process of national reconciliation. The Council notes with dismay the series of disruptions in the military talks between the parties. It urges the parties to continue the military talks without interruption and to conclude an equitable and practicable agreement without further delay. The Council underlines that such an agreement should give particular attention to the expeditious completion of the demobilization and integration of former combatants. It recognizes that the prompt and complete exchange of military information is vital to the success of these talks and urges the parties to provide the information required by the Lusaka Protocol without further delay.

"The Council is gravely concerned by continued violations of the ceasefire and military offensives, in particular events in the north-west. The Council calls upon both parties to refrain from military activities or troop movements which lead to increased tensions and resumed hostilities and to implement without delay the disengagement plan being prepared by the Mission.

"The Council deplores the recent threat to the safety of Mission personnel. The Council reminds the parties, in particular the União Nacional para a Independência Total de Angola, that they must take the steps necessary to ensure the safety and security of all Mission and other international personnel.

"The Council expresses regret that the Mission radio is not yet operational. The Council calls upon the Government of Angola to facilitate its immediate establishment. It also calls upon both parties to cease the dissemination of hostile propaganda.

"The Council is concerned at delays in implementing mine-clearance programmes planned by the United Nations and by Member States, and calls upon the Government of Angola to facilitate issuance of necessary authorizations to relevant personnel. The Council calls upon the Government of Angola and the União Nacional para a Independência Total de Angola to intensify their individual and joint demining efforts. It underlines the fact that the opening of roads within Angola, including the clearance of mines and the restoration of bridges, is vital not only to the peace process and the complete deployment of the Mission, but also to the effective delivery of humanitarian assistance and future peace-building efforts. The Council is gravely concerned at the reports of remining in violation of the Lusaka Protocol.

"The Council emphasizes that Angolans themselves bear ultimate responsibility for restoring peace and stability in their country. The Council stresses that concrete actions are urgently needed from the parties to put the peace process on an irreversible course. It notes that continued support for the Mission will depend on the extent to which the parties demonstrate their political will to achieve a lasting peace.

"The Council notes the important role played by the Special Representative of the Secretary-General and by the three observer States in the promotion of the peace process in Angola and calls upon them to further contribute appropriately to the implementation of the Lusaka Protocol within the agreed time framework and to assist the Mission in the successful fulfilment of its tasks.

"The Council requests the Secretary-General to update it on the progress of the Angolan peace process and the deployment and activities of the Mission at least on a monthly basis."

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[37] S/PRST/1995/62.

[38] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1012.

ITEMS RELATING TO AN AGENDA FOR PEACE

An Agenda for Peace

Decisions

At its 3492nd meeting, on 18 January 1995, the Security Council decided to invite the representatives of Australia, Belgium, Brazil, Bulgaria, Canada, Colombia, Egypt, Hungary, India, Ireland, Japan, Latvia, the Libyan Arab Jamahiriya, Malaysia, the Netherlands, New Zealand, Norway, Pakistan, Poland, Romania, Sierra Leone, Slovenia, Sri Lanka, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

"An Agenda for Peace

"Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations (S/1995/1)".[1]

Upon the second resumption of the meeting on 19 January 1995, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item.

At its 3503rd meeting, on 22 February 1995, the Council considered the item entitled:

"An Agenda for Peace

"Supplement to an Agenda for Peace: position paper of the Secretary-General on the occasion of the fiftieth anniversary of the United Nations (S/1995/1)".[1]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[2]

"The Security Council welcomes the position paper of the Secretary-General entitled 'Supplement to an Agenda for Peace'[3] as an important contribution to the debate on the development of the United Nations activities related to international peace and security in all its aspects at the beginning of the year in which the Organization celebrates its fiftieth anniversary. The Council notes that the paper contains a wide range of conclusions and recommendations with regard to instruments for resolving conflict. The Council is of the view that, in the light of recent developments and experience gained, efforts should be made to enhance further the Organization's ability to perform the tasks laid down for it under the Charter of the United Nations. The Council reiterates that, in performing the above-mentioned tasks, the purposes and principles of the Charter should always be strictly observed.

"The Council welcomes and shares the priority given by the Secretary-General to action to prevent conflict. It encourages all Member States to make the fullest possible use of instruments of preventive action, including the Secretary-General's good offices, the dispatch of special envoys of the Secretary-General and the deployment, with the consent, as appropriate, of the host country or countries, of small field missions for preventive diplomacy and peacemaking. The Council believes that adequate resources must be made available within the United Nations system for these actions. It notes the problem identified by the Secretary-General in finding senior persons to act as his special representative or special envoy and encourages Member States which have not yet done so to provide the Secretary-General with the names of persons who might be considered by him for such posts, together with other resources, both human and material, which might be useful to such missions. It encourages the Secretary-General to make full use of resources thus put at his disposal.

"The Council endorses the view expressed by the Secretary-General concerning the crucial importance of economic and social development as a secure basis for lasting peace. Social and economic development can be as valuable in preventing conflicts as in healing the wounds after conflicts have occurred. The Council urges States to support the efforts of the United Nations system with regard to preventive and post-conflict peace-building activities and, in this context, to provide necessary assistance for the economic and social development of countries, especially those which have suffered or are suffering from conflicts.

"The Council welcomes the analysis of the Secretary-General regarding peacekeeping operations. It recalls the statement made by its President on 3 May 1994[4] which, *inter alia*, listed factors to be taken into account in establishing peacekeeping operations. It notes that in resolving conflicts, primary emphasis should continue to be placed on the use of peaceful means rather than force. Without prejudice to its ability to respond to situations on a case-by-case basis, and rapidly and flexibly as the circumstances require, it reiterates the principles of consent of the parties, impartiality and the non-use of force except in self-defence. It underlines the need to conduct peacekeeping operations with a clearly defined mandate, command structure, time-frame and secure financing, in support of efforts to achieve a peaceful solution to a conflict; it stresses the importance of the consistent application of these principles to the establishment and conduct of all peacekeeping operations. It stresses the importance it attaches to the provision of the fullest possible information to the Council to assist it in making decisions regarding the mandate, duration and termination of current operations. It also emphasizes the importance of providing troop contributors with the fullest possible information.

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[1] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*.

[2] S/PRST/1995/9.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/1.

[4] S/PRST/1994/22.

"The Council shares the concern of the Secretary-General regarding the availability of troops and equipment for peacekeeping operations. It recalls earlier statements by its President on the subject and reiterates the importance of improving the capacity of the United Nations for rapid deployment and reinforcement of operations. To that end, it encourages the Secretary-General to continue his study of options aimed at improving the capacity for such rapid deployment and reinforcement. The Council believes that the first priority in improving the capacity for rapid deployment should be the further enhancement of the existing standby arrangements, covering the full spectrum of resources, including arrangements for lift and headquarters capabilities, required to mount and execute peacekeeping operations. It strongly encourages the Secretary-General to take further steps in this regard, including the establishment of a comprehensive database to cover civilian as well as military resources. In this context, it considers that particular attention should be given to the greatest possible interoperability between elements identified in such arrangements. The Council reiterates its call to Member States not already doing so to participate in the standby arrangements. While affirming the principle that contributing Governments should ensure that their troops arrive with all the equipment needed to be fully operational, the Council also encourages the Secretary-General and Member States to continue to consider means, whether in the context of standby arrangements or more broadly, to address the requirements of contingents which may need additional equipment or training.

"The Council strongly supports the conclusion of the Secretary-General that peacekeeping operations need an effective information capacity and his intention to address this requirement in future peacekeeping operations from the planning stage.

"The Council welcomes the ideas of the Secretary-General regarding post-conflict peace-building. It agrees that an appropriately strong overall United Nations contribution needs to be sustained after the successful conclusion of a peacekeeping operation and encourages the Secretary-General to study ways and means of ensuring effective coordination between the United Nations and other agencies involved in post-conflict peace-building and to take active steps to ensure that such coordination takes place in the immediate aftermath of a peacekeeping operation. The measures described by the Secretary-General may also be required, with the consent of the State or States concerned, after successful preventive action and in other cases where an actual peacekeeping deployment does not take place.

"The Council shares the assessment of the Secretary-General of the paramount importance of preventing the proliferation of weapons of mass destruction. Such proliferation is a threat to international peace and security. Appropriate measures will be taken in this respect in particular where international treaties provide for recourse to the Council when their provisions are violated. The Council underlines the need for all States to fulfil their obligations in respect of arms control and disarmament, in particular in regard to weapons of mass destruction.

"The Council takes note of the assessment of the Secretary-General of the importance of 'micro-disarmament', as described in his paper, in the solution of conflicts with which the United Nations is currently dealing and of his view that small arms are probably responsible for most of the deaths in these conflicts. It shares the concern of the Secretary-General at the negative consequences for international peace and security which often arise from the illicit traffic in conventional weapons, including small arms, and takes note of his view that the search for effective solutions to this problem should begin now. In this context the Council stresses the vital importance of the strict implementation of existing arms embargo regimes. It welcomes and supports efforts with regard to international measures to curb the spread of anti-personnel landmines and to deal with the landmines already laid, and in this regard welcomes General Assembly resolutions 49/75 D of 15 December 1994 and 49/215 of 23 December 1994. It reaffirms its deep concern over the tremendous humanitarian problems caused by the presence of mines and other unexploded devices to the populations of mine-infested countries and emphasizes the need for an increase in mine-clearing efforts by the countries concerned and with the assistance of the international community.

"The Council stresses the importance it attaches to the effective implementation of all measures taken by it to maintain or restore international peace and security, including economic sanctions. It agrees that the object of economic sanctions is not to punish but to modify the behaviour of the country or party which represents a threat to international peace and security. The steps demanded of that country or party should be clearly defined in Council resolutions, and the sanctions regime in question should be subject to periodic review and it should be lifted when the objectives of the appropriate provisions of the relevant Council resolutions are achieved. The Council remains concerned that, within this framework, appropriate measures are taken to ensure that humanitarian supplies reach affected populations and appropriate consideration is given to submissions received from neighbouring or other States affected by special economic problems as a result of the imposition of sanctions. The Council urges the Secretary-General, when considering the allocation of resources available to him within the Secretariat, to take appropriate steps to reinforce those sections of the Secretariat dealing directly with sanctions and their various aspects so as to ensure that all these matters are addressed in as effective, consistent and timely a manner as possible. It welcomes the efforts of the Secretary-General to study ways and means of addressing the various aspects related to sanctions in his report.

"The Council reaffirms the importance it attaches to the role that regional organizations and arrangements can play in helping to maintain international peace and security. It underlines the need for effective coordination between their efforts and those of the United Nations in accordance with Chapter VIII of the Charter. It recognizes that the responsibilities and capacities of different regional organizations and arrangements vary and also recognizes the readiness and competence of regional organizations and arrangements, as reflected in their charters and other relevant documents, to participate in efforts to maintain international peace and security. It welcomes the willingness of the Secretary-General to assist regional organizations and arrangements as appropriate in developing a capacity for preventive action, peacemaking and, where appropriate, peacekeeping. It draws particular attention in this regard to the needs of Africa. It encourages the Secretary-General and Member States to continue to consider ways and means of improving practical cooperation and coordination between the United Nations and regional organizations and arrangements in these areas. The Council encourages the Secretary-General to continue the practice of meetings on cooperation between the United Nations and regional and other organizations.

"The Council recognizes the crucial importance of the availability of the necessary financial resources both for preventive action and for operations undertaken to sustain international peace and security. It therefore urges Member States to honour their financial obligations to the United Nations. At the same time, the Council emphasizes the continuing necessity for careful control of peacekeeping costs and for the most efficient possible use of peacekeeping funds and other financial resources.

"The Council will keep the Secretary-General's paper under consideration. The Council invites all interested Member States to present further reflections on United Nations peacekeeping operations and, in particular, on ways and means to improve the capacity of the United Nations for rapid deployment. It invites the Secretary-General to keep it closely informed of the action he takes in follow-up to the paper and to the present statement. It hopes that the General Assembly, as well as other organizations and entities, will give consideration of the paper a high degree of priority and will take decisions on those matters which fall within their direct responsibility."

An Agenda for Peace: preventive diplomacy, peacemaking and peacekeeping[5]

Decisions

At its 3609th meeting, on 19 December 1995, the Security Council considered the item entitled:

> "An Agenda for Peace
>
> "Preventive diplomacy, peacemaking and peacekeeping—report of the Secretary-General on standby arrangements for peacekeeping (S/1995/943)".[6]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

"The Security Council has noted with interest and appreciation the report of the Secretary-General of 10 November 1995 on standby arrangements for peacekeeping operations.[8] It recalls earlier statements by its President on this subject and strongly supports the efforts of the Secretary-General to enhance the capacity of the United Nations for the planning, rapid deployment and reinforcement and logistical support of peacekeeping operations.

"The Council encourages Member States not yet doing so to participate in the standby arrangements. It invites them, and those States already participating in the arrangements, to provide information in as detailed a manner as possible on those elements which they are ready to make available to the United Nations. It also invites them to identify components, such as logistic support elements and sea/airlift resources, presently underrepresented in the arrangement. In this context, the Council welcomes the initiative taken by the Secretariat for the creation of a standby headquarters component within the Mission Planning Service of the Department of Peacekeeping Operations. The Council also joins with the Secretary-General in suggesting the establishment of partnerships between those troop-contributing countries which need equipment for units that may be provided to the United Nations and those Governments ready to provide such equipment and other support.

"The Council looks forward to further reports from the Secretary-General on the progress of the standby arrangements initiative and undertakes to keep the matter under review."

An Agenda for Peace: peacekeeping[9]

Decision

At its 3611th meeting, on 20 December 1995, the Security Council decided to invite the representatives of Algeria, Australia, Austria, Brazil, Canada, Colombia, Cuba, Egypt, Greece, India, Ireland, Japan, Luxembourg, Malaysia, New Zealand, Norway, Pakistan, the Republic of Korea, Spain, Tunisia, Turkey, Ukraine and Zimbabwe to participate, without vote, in the discussion of the item entitled:

> "An Agenda for Peace: peacekeeping
>
> "Letter dated 8 December 1995 from the representatives of Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, the Czech Republic, Denmark, Egypt, Finland, France, Germany, Greece, Honduras, Ireland, Italy, Japan, Malaysia, the Netherlands, New Zealand, Nigeria, Norway, Pakistan, Poland, Portugal, Romania, Spain, Sweden, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council (S/1995/1025)".[6]

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[5] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[6] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[7] S/PRST/1995/61.

[8] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/943.

[9] Resolutions or decisions on this question were also adopted in 1994.

THE SITUATION IN THE MIDDLE EAST[1]

Decisions

Following consultations held on 24 January 1995, the President of the Security Council isssued the following statement to the media on behalf of the members of the Council:[2]

"The members of the Security Council strongly condemn the terrorist attack which took place in Nordiya, Israel, on Sunday, 22 January 1995, with the clear purpose of trying to undermine the Middle East peace efforts.

"The members of the Council extend their condolences to the families of those who died as a consequence of the explosions and wish a speedy recovery of the wounded.

"The members of the Council call upon all parties to continue their efforts to consolidate the peace process. The members of the Council believe that common ground can be found only through the practice of dialogue, respect and tolerance."

At its 3495th meeting, on 30 January 1995, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (UNIFIL)(S/1995/66)".[3]

Resolution 974 (1995)

of 30 January 1995

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 23 January 1995 on the United Nations Interim Force in Lebanon,[4] and taking note of the observations expressed therein,

Taking note of the letter dated 16 January 1995 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[5]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further interim period of six months, that is until 31 July 1995;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978,[6] approved by resolution 426 (1978), and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

5. *Endorses* the Secretary-General's intention to pursue the possibilities for streamlining and achieving economies in the areas of maintenance and logistic support;

6. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3495th meeting.

Decisions

At the 3495th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

"The Security Council has noted with appreciation the report of the Secretary-General of 23 January 1995 on the United Nations Interim Force in Lebanon,[4] submitted in conformity with resolution 938 (1994) of 28 July 1994.

"The Council reaffirms its commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

"As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), the Council again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1967.

[2] S/PRST/1995/3.

[3] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[4] Ibid., document S/1995/66.

[5] Ibid., document S/1995/45.

[6] Ibid., *Thirty-third Year, Supplement for January, February and March 1978*, document S/12611.

[7] S/PRST/1995/4.

"The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life and urges all parties to exercise restraint.

"The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard and commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

In a letter dated 23 March 1995,[8] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 17 March 1995 concerning the appointment of Major-General Stanislaw Franciszek Woźniak of Poland to succeed Major-General Trond Furuhovde as Force Commander of the United Nations Interim Force in Lebanon[9] has been brought to the attention of the members of the Council. They take note of the information contained in your letter and agree with the proposal made therein."

At its 3541st meeting, on 30 May 1995, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1995/398)".[10]

Resolution 996 (1995)

of 30 May 1995

The Security Council,

Having considered the report of the Secretary-General of 17 May 1995 on the United Nations Disengagement Observer Force,[11]

Decides:

(*a*) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1995;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement Security Council resolution 338 (1973).

Adopted unanimously at the 3541st meeting.

Decisions

At the 3541st meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[12]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General of 17 May 1995 on the United Nations Disengagement Observer Force[11] states, in paragraph 18: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

At its 3558th meeting, on 28 July 1995, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1995/595)".[13]

Resolution 1006 (1995)

of 28 July 1995

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 19 July 1995 on the United Nations Interim Force in Lebanon,[14] and taking note of the observations expressed therein,

Taking note of the letter dated 10 July 1995 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[15]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is until 31 January 1996;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the

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[8] S/1995/218.

[9] S/1995/217.

[10] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[11] Ibid., document S/1995/398.

[12] S/PRST/1995/29.

[13] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995.*

[14] Ibid., document S/1995/595.

[15] Ibid., document S/1995/554.

Secretary-General of 19 March 1978,[6] approved by resolution 426 (1978), and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

5. *Condemns* the increase in acts of violence committed in particular against the Force, and urges the parties to put an end to them;

6. *Concurs* with the streamlining of the Force, described in paragraph 11 of the report of the Secretary-General, and stresses that its implementation will not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3558th meeting.

Decisions

At the 3558th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[16]

> "The Security Council has noted with appreciation the report of the Secretary-General of 19 July 1995 on the United Nations Interim Force in Lebanon,[14] submitted in conformity with resolution 974 (1995).
>
> "The Council reaffirms its commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
>
> "As the Council extends the mandate of the Force for a further period on the basis of resolution 425 (1978), the Council again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful efforts to extend its authority in the south of the country in full coordination with the Force.
>
> "The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life and urges all parties to exercise restraint.
>
> "The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard and commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

In a letter dated 7 September 1995,[17] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 1 September 1995 concerning your intention to appoint Major-General Rufus Modupe Kupolati of Nigeria as Chief of Staff of the United Nations Truce Supervision Organization[18] has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter."

At its 3599th meeting, on 28 November 1995, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (UNDOF) (S/1995/952)".[19]

Resolution 1024 (1995)

of 28 November 1995

The Security Council,

Having considered the report of the Secretary-General of 17 November 1995 on the United Nations Disengagement Observer Force,[20]

Decides:

(*a*) To call upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1996;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement Security Council resolution 338 (1973).

Adopted unanimously at the 3599th meeting.

Decisions

At the 3599th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[21]

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[16] S/PRST/1995/35.

[17] S/1995/773.

[18] S/1995/772.

[19] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[20] Ibid., document S/1995/952.

[21] S/PRST/1995/59.

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

"As is known, the report of the Secretary-General of 17 November 1995 on the United Nations Disengagement Observer Force[20] states, in paragraph 14: 'Despite the present quiet in the Israel-Syria sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached.' That statement of the Secretary-General reflects the view of the Security Council."

In a letter dated 8 December 1995,[22] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 6 December 1995 concerning an addition to the list of Member States currently providing troops to the United Nations Disengagement Observer Force[23] has been brought to the attention of the members of the Council. They agree with the proposal contained in the letter."

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[22] S/1995/1023.
[23] S/1995/1022.

THE SITUATION IN MOZAMBIQUE[1]

Decision

At its 3494th meeting, on 27 January 1995, the Security Council decided to invite the representatives of Brazil, Canada, Egypt, Japan, Mozambique and Portugal to participate, without vote, in the discussion of the item entitled "The situation in Mozambique".

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

THE SITUATION IN BURUNDI[1]

Decisions

At its 3497th meeting, on 31 January 1995, the Security Council considered the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[2]

"The Security Council, which has been following closely developments in Burundi, has learned with concern that the situation in the country has deteriorated considerably over the last few days.

"In this context, the Council deeply deplores the pronouncements made by the leadership of one political party which calls for the withdrawal of the Prime Minister and the overthrow of his Government by all means available.

"The Council denounces such attempts to threaten by way of intimidation the coalition Government which was established in line with the Convention on Governance of 10 September 1994.[3] It further condemns the extremist groups that continue to undermine the national reconciliation process.

"The Council calls upon all parties and others concerned, in particular the national security forces, to refrain from committing acts of violence and to give support to the Government institutions established in line with the above-mentioned Convention.

"The Council requests the Secretary-General to continue to keep it fully informed of developments in Burundi. The Council will remain actively seized of the matter."

At its 3506th meeting, on 9 March 1995, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1994.
[2] S/PRST/1995/5.
[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/190.

"The situation in Burundi

"Report of the Security Council mission to Burundi on 10 and 11 February 1995 (S/1995/163)".[4]

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[5]

"The Security Council has considered the reports of its mission to Burundi which visited Bujumbura on 10 and 11 February 1995 and welcomes the observations and recommendations contained in the report of the mission of 28 February 1995.[6] It expresses its appreciation to the mission members for their efforts.

"The Council recalls its earlier statements on the situation in Burundi, in particular that of 31 January 1995.[2] It remains deeply concerned that a climate of insecurity continues to prevail in Burundi. It condemns the activities of those, both within and outside the country, who seek to nullify the agreed power-sharing arrangements contained in the Convention on Governance of 10 September 1994[3] by resorting to undemocratic methods such as intimidation and incitement to violence, as well as guerilla activities and subversive political activity. Such actions have threatened peace, stability and national reconciliation.

"The Council reaffirms its support for the Convention on Governance and for the coalition Government established under it. In this connection, it notes the appointment of the Prime Minister and his Cabinet and urges all parties in Burundi to work together to ensure stability in the country.

"The Council reaffirms the view that impunity is a fundamental problem in Burundi, one which seriously endangers security in the country, and stresses the importance it attaches to assistance being given to help to strengthen the national judicial system. In this context, it underlines the role that could be played by an international commission of inquiry into the 1993 attempted *coup d'état* and into the massacres that followed, established in accordance with the Convention on Governance.

"The Council strongly reaffirms its support for the implementation of the provisions of the Convention on Governance calling for the holding of a national debate with the participation of all segments of the society in Burundi, as a means of fostering political dialogue.

"The Council underlines the importance of assisting the Government of Burundi in its efforts to restore stability and promote national reconciliation. In this context, it encourages the Secretary-General, in consultation with the Government of Burundi, to augment the United Nations presence in the country, in order to assist the Government of Burundi in strengthening the national judicial system, training civilian police forces and establishing an effective administrative presence in the provinces. It commends the important role played by the Special Representative of the Secretary-General.

"The Council reiterates that improving the security situation in Burundi must be given high priority. It encourages the United Nations High Commissioner for Human Rights, in consultation with the Government of Burundi and in close coordination with the Special Representative of the Secretary-General, to reinforce the office he has established in Burundi. Consideration could also be given to the role human rights monitors could play.

"The Council also recognizes the significant contribution made by the military observers of the Organization of African Unity. It encourages the Organization of African Unity, in consultation with the Government of Burundi, to increase their number further and calls upon the international community to assist the Organization of African Unity in this regard.

"The Council further calls upon all parties in Burundi to cooperate with international observers and other personnel by ensuring unimpeded access to all parts of the country.

"The Council requests the Secretary-General to continue to keep it fully informed of developments in Burundi. The Council will remain actively seized of the matter."

At its 3511th meeting, on 29 March 1995, the Council considered the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Council, the President made the following statement on behalf of the Council:[7]

"The Security Council is deeply concerned about the escalation of violence in Burundi. It condemns the murders of the Minister of Energy and Mines and the former Mayor of Bujumbura by extremists and deplores the ensuing ethnic killings of many people, which have caused thousands to flee their homes. It stresses the futility of resorting to violence and condemns the activities of the extremist elements who try to destabilize the country and threaten the whole region. It encourages all States to take the measures deemed necessary to prevent them from travelling abroad and receiving any kind of support. It reaffirms its determination to support the Convention on Governance of 10 September 1994,[3] the provisions of which constitute the institutional framework for the necessary national reconciliation. The Council calls upon all political parties, military forces and all elements of civil society fully to respect and implement the Convention in a spirit of dialogue, moderation and compromise.

"The Council urges all parties to work together to further the dialogue. It underlines the urgency of organizing, in accordance with the Convention on Governance, a national debate with the participation of all elements of the nation with a view to consolidating national reconciliation and restoring democracy. It invites the Secretary-General to help the various political parties and elements of civil society to initiate this comprehensive consultation.

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[4] Ibid., *Supplement for January, February and March 1995.*

[5] S/PRST/1995/10.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995,* document S/1995/163.

[7] S/PRST/1995/13.

"The Council warns that those who commit crimes against humanity are individually responsible for their crimes and will be brought to justice. The Council specifically warns that, if acts of genocide are committed in Burundi, it will consider taking appropriate measures to bring to justice under international law any who may have committed such acts.

"The Council reaffirms its view that the perception of impunity is a fundamental problem in Burundi, one which seriously endangers security in the country. The Council expresses once again its grave concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian law have been committed in Burundi.

"The Council recalls the statement by its President of 9 March 1995,[5] in which the Council, *inter alia*, underlined the role that could be played in Burundi by an international commission of inquiry into the October 1993 attempted *coup d'état* and into the massacres that followed. It requests the Secretary-General to report to the Council on an urgent basis on what steps should be taken to establish such an impartial commission of inquiry.

"The Council favours measures to restore a state of law and improve the functioning of the judicial system. It also favours the organization of a round table of donors. It urges States to provide for these projects financial contributions directly or through a trust fund to be created for this purpose.

"The Council supports the reinforcement of the action decided by the United Nations High Commissioner for Human Rights and welcomes the dispatching of experts.

"The Council pays tribute to the actions taken by the Organization of African Unity. It calls upon the Organization of African Unity and its members in the subregion to continue to use their influence to help to stabilize the situation in Burundi. It further calls upon all States, in particular neighbouring States, to refrain from supplying or allowing the transit of arms and to deny sanctuary and any other assistance to those extremist elements which seek to destabilize the situation in Burundi.

"Aware of the close interconnection between various humanitarian and political problems in the region and of the risk of subsequent destabilization, the Council reaffirms its support for a regional conference on peace, stability and security and calls upon the countries of the region to convene such a conference as a matter of urgency.

"The Council remains seized of the matter. It will consider taking action as the situation demands."

At its 3571st meeting, on 28 August 1995, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Letter dated 28 July 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/631)".[8]

Resolution 1012 (1995)

of 28 August 1995

The Security Council,

Having considered the report of the Preparatory Fact-finding Mission to Burundi of 20 May 1994,[9]

Having further considered the report of the Security Council mission to Burundi of 28 February 1995,[6]

Recalling the statement by the President of the Security Council of 29 March 1995,[7] in which the Council, *inter alia*, underlined the role that could be played in Burundi by an international commission of inquiry into the 1993 attempted *coup d'état* and into the massacres that followed,

Welcoming the letter dated 28 July 1995 from the Secretary-General to the President[10] recommending that such a commission of inquiry be created by resolution of the Council,

Taking into account the initiative of the Government of Burundi in calling for the establishment of an international judicial commission of inquiry as referred to in the Convention on Governance,[3]

Recalling the letter dated 8 August 1995 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council,[11] noting with interest the letter from the Secretary-General dated 28 July 1995,[10]

Taking note of the fact that the parties in Burundi, in the Convention on Governance, agreed, without prejudice to the outcome of the independent national and international investigations, to call the massacres which followed the assassination of the President of Burundi on 21 October 1993 genocide,

Deeply concerned that impunity creates contempt for law and leads to violations of international humanitarian law,

Expressing once again its grave concern at reports indicating that systematic, widespread and flagrant violations of international humanitarian law have been committed in Burundi,

Stressing the importance of strengthening, in cooperation with the Government of Burundi, the Burundian judicial system,

Reiterating its profound concern over the resumption of radio broadcasts inciting ethnic hatred and violence, and recognizing the need for ending such broadcasts,

Recalling that all persons who commit or authorize the commission of serious violations of international humanitarian law are individually responsible for those violations and should be held accountable,

1. *Requests* the Secretary-General to establish, as a matter of urgency, an International Commission of Inquiry, with the following mandate:

(*a*) To establish the facts relating to the assassination of the President of Burundi on 21 October 1993, the massacres and other related serious acts of violence which followed;

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[8] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995.*

[9] Ibid., *Supplement for January, February and March 1995*, document S/1995/157.

[10] Ibid., *Supplement for July, August and September 1995*, document S/1995/631.

[11] Ibid., document S/1995/673.

(*b*) To recommend measures of a legal, political or administrative nature, as appropriate, after consultation with the Government of Burundi, and measures with regard to the bringing to justice of persons responsible for those acts, to prevent any repetition of deeds similar to those investigated by the Commission and, in general, to eradicate impunity and promote national reconciliation in Burundi;

2. *Recommends* that the Commission of Inquiry be composed of five impartial and internationally respected, experienced jurists who shall be selected by the Secretary-General and shall be furnished with adequate expert staff, and that the Government of Burundi be duly informed;

3. *Calls upon* States, relevant United Nations bodies and, as appropriate, international humanitarian organizations to collate substantiated information in their possession relating to acts covered in paragraph 1 (*a*) above, to make such information available as soon as possible and to provide appropriate assistance to the Commission of Inquiry;

4. *Requests* the Secretary-General to report to the Council on the establishment of the Commission of Inquiry, and further requests the Secretary-General, within three months from the establishment of the Commission, to submit an interim report to the Council on its work and to submit a final report when it completes its work;

5. *Calls upon* the Burundian authorities and institutions, including all Burundian political parties, to cooperate fully with the Commission of Inquiry in the accomplishment of its mandate, including by responding positively to requests from the Commission for security, assistance and access in pursuing investigations, including:

(*a*) Adoption by the Government of Burundi of any measures needed for the Commission and its personnel to carry out their functions throughout the national territory with full freedom, independence and security;

(*b*) Provision by the Government of Burundi of all information in its possession which the Commission requests or is otherwise needed to carry out its mandate and free access for the Commission and its staff to any official archives related to its mandate;

(*c*) Freedom for the Commission to obtain any information the Commission considers relevant and to use all sources of information which the Commission considers useful and reliable;

(*d*) Freedom for the Commission to interview, in private, any persons the Commission judges necessary;

(*e*) Freedom for the Commission to visit any establishment or place at any time;

(*f*) Guarantee by the Government of Burundi of full respect for the integrity, security and freedom of witnesses, experts and any other persons who help the Commission in its work;

6. *Calls upon* all States to cooperate with the Commission of Inquiry in facilitating its investigations;

7. *Requests* the Secretary-General to provide adequate security for the Commission of Inquiry in cooperation with the Government of Burundi;

8. *Also requests* the Secretary-General to establish, as a supplement to financing as an expense of the Organization, a trust fund to receive voluntary contributions to finance the Commission of Inquiry;

9. *Urges* States and intergovernmental and non-governmental organizations to contribute funds, equipment and services to the Commission of Inquiry, including the offer of expert personnel in support of the implementation of the present resolution;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3571st meeting.

Decisions

In a letter dated 27 September 1995,[12] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 22 September 1995 concerning the appointment of members of the International Commission of Inquiry in Burundi in accordance with resolution 1012 (1995)[13] has been brought to the attention of the members of the Council. They take note of the decision contained therein."

In a letter dated 7 November 1995,[14] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 1 November 1995 concerning the appointment of Mr. Aziz Hasbi as your Special Representative in Burundi[15] has been brought to the attention of the members of the Council. They welcome your decision."

In a letter dated 22 December 1995,[16] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 20 December 1995 concerning the appointment of Mr. Marc Faguy as your new Special Representative in Burundi[17] has been brought to the attention of the members of the Council. They agree with the decision contained in your letter."

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[12] S/1995/826.

[13] S/1995/825.

[14] S/1995/932.

[15] S/1995/931.

[16] S/1995/1057.

[17] S/1995/1056.

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER[1]

Decisions

In a letter dated 6 February 1995,[2] the President of the Security Council informed the Secretary-General of the following:

> "The members of the Security Council have noted your report of 4 February 1995 in response to paragraph 3 of Council resolution 968 (1994) of 16 December 1994.[3]
>
> "The members of the Council endorse the recommendation contained in paragraph 32 of the report concerning the continuation of the United Nations Mission of Observers in Tajikistan for another month, until 6 March 1995. Continuation and effective observance of the ceasefire agreement of 17 September 1994[4] is vital. Reaffirming Council resolution 968 (1994), the members of the Council urge the parties in the interim to reconfirm through concrete steps their commitment to resolve the conflict only through political means, and their commitment to national reconciliation and to the promotion of democracy."

In a letter dated 6 March 1995,[5] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 3 March 1995 concerning the United Nations Mission of Observers in Tajikistan[6] has been brought to the attention of the members of the Council.
>
> "The members of the Council endorse your recommendation, in view of the agreement of the parties to continue the ceasefire, that the presence of the Mission in Tajikistan be continued until 26 April 1995. Reaffirming Council resolution 968 (1994), the members of the Council urge the parties in the interim to resolve the remaining difficulties in arranging the fourth round of inter-Tajik talks aimed at reaching a political settlement to the conflict.
>
> "The members of the Council welcome your intention to revert to the Council at the conclusion of the mission of Under-Secretary-General Aldo Ajello and will be looking forward to a report at that time."

At its 3515th meeting, on 12 April 1995, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled "The situation in Tajikistan and along the Tajik-Afghan border".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[7]

> "The Security Council expresses its deep concern at the escalation of military activities on the Tajik-Afghan border, which resulted in grave loss of life. In this context, the Council reminds the parties of their obligations to ensure the safety of the Secretary-General's Special Envoy and all other United Nations personnel.
>
> "The Council strongly believes that armed activities by the Tajik opposition in violation of the ceasefire agreement of 17 September 1994[4] jeopardize the inter-Tajik dialogue and the process of national reconciliation as a whole. Noting also recent violations of the agreement of 17 September 1994 by government forces, the Council calls upon the Tajik opposition and the Government of Tajikistan to comply strictly with the obligations they have assumed under that agreement and calls upon the Tajik opposition in particular to extend it for a substantial period beyond 26 April 1995.
>
> "The Council fully supports the appeal of the Secretary-General to the Tajik parties and other countries concerned to exercise restraint, to do their utmost to continue the political dialogue and to hold the next round of talks as soon as possible. It welcomes the agreement by the Government of Tajikistan and the Tajik opposition to the proposal of the Secretary-General's Special Envoy to hold an urgent high-level meeting of their representatives in Moscow. It calls upon the countries of the region to discourage any activities that could complicate or hinder the peace process in Tajikistan.
>
> "Reaffirming its resolution 968 (1994) of 16 December 1994, the Council once again urges the parties to reconfirm through concrete steps their commitment to resolve the conflict only through political means. The Council reiterates its call upon the parties to hold the fourth round of the inter-Tajik talks without delay on the basis agreed upon during the previous rounds of consultations."

In a letter dated 26 April 1995,[8] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 26 April 1995[9] has been brought to the attention of the members of the Security Council.
>
> "The members of the Council are deeply concerned about the insufficient progress at the Moscow talks held under the auspices of your Special Envoy and the continuing military activities on the Tajik-Afghan border. The members of the Council call upon the parties and

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1994.

[2] S/1995/109.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/105.

[4] Ibid., *Forty-ninth Year, Supplement for July, August and September 1994*, document S/1994/1080. A revised version of the agreement was subsequently issued as an annex to document S/1995/390 (see *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*).

[5] S/1995/180.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/179.

[7] S/PRST/1995/16.

[8] S/1995/332.

[9] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/331.

others concerned to resolve urgently the outstanding questions with regard to extending the ceasefire and arranging a fourth round of talks. They stress once again that the primary responsibility for resolving their differences rests with the Tajik parties themselves. They urge the parties to comply strictly with the obligations they have assumed under the ceasefire agreement of 17 September 1994.[4]

"In keeping with the provisions of resolution 968 (1994), the members of the Council note that an effective ceasefire was, and continues to be, a necessary condition for the deployment of the United Nations Mission of Observers in Tajikistan.

"The members of the Council agree that, pending a further decision of the Council based on consideration of your forthcoming report, the Mission shall continue its presence in Tajikistan."

At its 3539th meeting, on 19 May 1995, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General concerning the situation in Tajikistan (S/1995/390)".[10]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[11]

"The Security Council has considered the report of the Secretary-General of 12 May 1995 on the situation in Tajikistan.[12]

"The Council welcomes the joint statement by the delegation of the Government of Tajikistan and the delegation of the Tajik opposition, signed in Moscow on 26 April 1995[13] as a result of the high-level consultations through the good offices of the Secretary-General's Special Envoy, with the assistance of the representatives of all countries acting as observers at the inter-Tajik talks. The Council expects the full implementation of the agreements reached in Moscow and, in particular, supports the convening of the fourth round of inter-Tajik talks on 22 May 1995 at Almaty and looks to the parties to cooperate fully in those talks.

"The Council commends the efforts of the Secretary-General's Special Envoy, the Russian Federation as host country and all observer countries, which significantly contributed to the positive outcome of the high-level inter-Tajik consultations held in Moscow from 19 to 26 April 1995.

"The Council is concerned over the actions of both sides in the past three months, which posed obstacles to the peace process, as noted in the report of the Secretary-General. The Council stresses the urgent need for the Tajik parties to resolve the conflict and to confirm, by taking concrete steps, their commitment to achieve national reconciliation in the country exclusively through peaceful political means on the basis of mutual concessions and compromises. In this context, it welcomes the agreement by the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan to hold a meeting, which took place at Kabul from 17 to 19 May 1995.

"The Council notes with concern the recent inactivity of the Joint Commission and is therefore encouraged by the decision of the parties to strengthen the Commission and its mechanism for monitoring the ceasefire agreement of 17 September 1994.[4] It welcomes the commitments by some Member States to the voluntary fund for contributions established by the Secretary-General in accordance with its resolution 968 (1994) and reiterates its encouragement to other Member States to contribute.

"The Council calls upon the parties to agree on a substantial extension of the ceasefire agreement of 17 September 1994 and to achieve substantive progress during the fourth round of inter-Tajik talks, in particular on fundamental institutional issues and consolidation of the statehood of Tajikistan, as defined in the agenda agreed upon during the Moscow round in April 1994. It stresses that strict compliance by the parties with all the obligations they have assumed is a necessary condition for successful political dialogue.

"The Council notes the observation made by the Secretary-General in his report that grounds exist for continuing United Nations efforts and maintaining the United Nations Mission of Observers in Tajikistan and recalls its view that extension of the ceasefire is necessary for this."

At its 3544th meeting, on 16 June 1995, the Council considered the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1995/472 and Corr.1 and Add.1)".[10]

Resolution 999 (1995)

of 16 June 1995

The Security Council,

Recalling its resolution 968 (1994) of 16 December 1994 and the statements by its President of 30 October 1992,[14] 23 August 1993,[15] 22 September[16] and 8 November 1994,[17] and 12 April[7] and 19 May 1995,[11]

Having considered the report of the Secretary-General of 10 June 1995,[18]

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[10] Ibid., *Supplement for April, May and June 1995.*

[11] S/PRST/1995/28.

[12] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/390.

[13] Ibid., document S/1995/337.

[14] S/24742.

[15] S/26341.

[16] S/PRST/1994/56.

[17] S/PRST/1994/65.

[18] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/472.

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming the positive outcome of the meeting between the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan held at Kabul from 17 to 19 May 1995[19] and of the fourth round of the inter-Tajik talks held at Almaty from 22 May to 1 June 1995,[20]

Welcoming also, in particular, the extension for a period of three months, until 26 August 1995, of the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, signed at Tehran on 17 September 1994,[4] as well as the agreements on further confidence-building measures,

Noting with appreciation that the parties started in-depth discussions on fundamental institutional issues and consolidation of the statehood of Tajikistan and confirmed their readiness to search for practical solutions to the above-mentioned problems,

Commending the efforts of the Secretary-General and his Special Envoy as well as of the countries and regional organizations acting as observers at the inter-Tajik talks which contributed to the conclusion of these agreements,

Emphasizing that the primary responsibility for resolving their differences rests with the Tajik parties themselves and that the international assistance provided pursuant to the present resolution must be linked to the process of national reconciliation and the promotion of democracy,

Recalling that the Tajik parties have reaffirmed their commitment to resolving the conflict and to achieving national reconciliation in the country exclusively through peaceful, political means, on the basis of mutual concessions and compromises, and urging them to take concrete steps to this end,

Stressing the urgent need for the cessation of all hostile acts on the Tajik-Afghan border,

Noting the decision of the Council of the Heads of State of the Commonwealth of Independent States of 26 May 1995 to extend the mandate of the collective peacekeeping forces of the Commonwealth of Independent States in Tajikistan until 31 December 1995,[21]

Recalling the joint appeal by the Presidents of the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan of 10 February 1995 addressed to the President of the Security Council,[22] and the statements of the Ministers for Foreign Affairs of these countries of 24 August[23]and 30 September 1993,[24] 13 October 1994,[25] and 26 January[26] and 20 April 1995[27] addressed to the Secretary-General,

Taking note with appreciation of the statement of the Ministry of Foreign Affairs of the Russian Federation of 26 April 1995 that the Russian border forces and the Russian military personnel of the collective peacekeeping forces, respecting and recognizing the agreements between the Tajik parties, do not violate them in the performance of their duties,

Expressing its satisfaction at the close contacts of the United Nations Mission of Observers in Tajikistan with the parties to the conflict, as well as at its close liaison with the collective peacekeeping forces, the border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

1. *Welcomes* the report of the Secretary-General of 10 June 1995;[18]

2. *Decides* to extend the mandate of the United Nations Mission of Observers in Tajikistan until 15 December 1995, subject to the proviso that the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks,[4] remains in force and the parties continue to be committed to an effective ceasefire, to national reconciliation and to the promotion of democracy and also decides that the mandate will remain in effect unless the Secretary-General reports that these conditions have not been met;

3. *Requests* the Secretary-General to continue to pursue, through the good offices of his Special Envoy and with the assistance of the countries and regional organizations acting as observers at the inter-Tajik talks, efforts to speed up the progress towards national reconciliation;

4. *Also requests* the Secretary-General to report to the Council every three months on the progress towards national reconciliation and on the operations of the Mission;

5. *Reiterates its call* upon the parties to cooperate fully with the Mission and to ensure safety and freedom of movement of United Nations personnel;

6. *Stresses* the urgent need for the parties to achieve a comprehensive political settlement of the conflict through the inter-Tajik dialogue and to cooperate fully with the Secretary-General's Special Envoy in this regard;

7. *Calls upon* the parties, in particular, to achieve as soon as possible substantive progress on fundamental institutional and political issues;

8. *Also calls upon* the parties to agree to the early convening of a further round of inter-Tajik talks and to implement without delay all confidence-building measures agreed at the fourth round of these talks, *inter alia*, on the exchange of detainees and prisoners of war and on intensification of the efforts by the parties to ensure the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes;

9. *Encourages* the continuation of direct political dialogue between the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan;

10. *Emphasizes* the absolute necessity for the parties to comply fully with all the obligations they have assumed, and urges them in particular to observe strictly the agreement of 17 September 1994[4] and to agree to its substantial extension;

11. *Stresses* the urgent need for the cessation of all hostile acts on the Tajik-Afghan border, and calls upon all States and others concerned to discourage any activities that could complicate or hinder the peace process in Tajikistan;

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[19] Ibid., document S/1995/429.

[20] Ibid., document S/1995/460.

[21] Ibid., document S/1995/459, annex I.

[22] Ibid., *Supplement for January, February and March 1995*, document S/1995/136.

[23] Ibid., *Forty-eighth Year, Supplement for July, August and September 1993*, document S/26357.

[24] Ibid., *Supplement for October, November and December 1993*, document S/26610.

[25] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1178.

[26] Ibid., *Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/126.

[27] Ibid., *Supplement for April, May and June 1995*, document S/1995/336.

12. *Requests* the Secretary-General to report to the Council on his discussions with relevant Afghan authorities regarding the possible deployment of a small number of United Nations personnel in northern Afghanistan, and expresses its willingness to consider a relevant recommendation of the Secretary-General in the context of the implementation of the present resolution;

13. *Underlines* the need to pursue the close cooperation already existing between the United Nations Mission of Observers in Tajikistan and the parties to the conflict, as well as its close liaison with the collective peacekeeping forces of the Commonwealth of Independent States in Tajikistan, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe;

14. *Welcomes* the obligation assumed by the Government of the Republic of Tajikistan to assist the return and the reintegration of refugees, as well as the obligations by the parties to cooperate in ensuring the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes, *inter alia*, by stepping up the activities of the Joint Commission on problems relating to refugees and displaced persons from Tajikistan formed by the parties in accordance with the protocol signed on 19 April 1994,[28] and, in this context, notes the request by the parties addressed to international organizations and States to provide additional substantial financial and material support to the refugees and internally displaced persons and to the Joint Commission;

15. *Welcomes also* the commitment of some Member States to the voluntary fund for contributions established by the Secretary-General in accordance with its resolution 968 (1994), and reiterates its encouragement to other States to contribute thereto;

16. *Welcomes further* the humanitarian assistance already provided, and calls for greater contributions from States for humanitarian relief efforts of the United Nations and other international organizations;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3544th meeting.

Decisions

At its 3570th meeting, on 25 August 1995, the Security Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled "The situation in Tajikistan and along the Tajik-Afghan border".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[29]

"The Security Council welcomes the protocol on the fundamental principles for establishing peace and national accord in Tajikistan, signed by the President of the Republic of Tajikistan and the leader of the Tajik opposition on 17 August 1995.[30] It commends the efforts of the Secretary-General's Special Envoy and all countries acting as observers at the inter-Tajik talks, which have significantly contributed to the conclusion of the above-mentioned agreement between the Tajik parties.

"The Council calls upon the parties to implement fully the commitments contained in the protocol. It supports the agreement of the parties to conduct the continual round of talks due to begin on 18 September 1995, with the aim of concluding a general agreement on the establishment of peace and national accord in Tajikistan and urges the parties to agree as soon as possible on the venue of the negotiations. It reiterates that the primary responsibility rests with the Tajik parties themselves in resolving their differences.

"The Council welcomes the agreement reached by the parties to extend the Agreement on a Temporary Cease-fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, signed at Tehran on 17 September 1994[4] for a period of six months until 26 February 1996, and calls upon the parties to comply strictly with the obligations assumed under the Agreement, including cessation of all hostile acts on the Tajik-Afghan border and within Tajikistan. The Council calls upon all States and others concerned to discourage any activities that could complicate or hinder the peace process, respecting fully the sovereignty and the territorial integrity of Tajikistan and the inviolability of the Tajik-Afghan border.

"The Council urges the parties to implement as quickly as possible the confidence-building measures agreed upon during the fourth round of inter-Tajik talks held at Almaty.

"The Council stresses the need to continue the existing close contacts of the United Nations Mission of Observers in Tajikistan with the parties to the conflict, as well as its close liaison with the collective peacekeeping forces of the Commonwealth of Independent States in Tajikistan, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe.

"The Council welcomes the contributions by some Member States to the voluntary fund for contributions established by the Secretary-General in accordance with its resolution 968 (1994), and reiterates its encouragement to other Member States to contribute thereto.

"The Council expresses its readiness to consider in due course the recommendations of the Secretary-General regarding the possible role of the United Nations in the context of the present and future agreements between the Tajik parties."

At its 3589th meeting, on 6 November 1995, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled "The situation in Tajikistan and along the Tajik-Afghan border".

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[28] Ibid., *Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/542, annex II.

[29] S/PRST/1995/42.

[30] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/720.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[31]

"The Security Council welcomes the planned convening of the continual round of inter-Tajik talks at Ashgabad. It commends the efforts of the President of Turkmenistan in this regard.

"The Council calls upon the Tajik parties to begin as a matter of urgency the continual round of talks with the aim of concluding a general agreement in accordance with the provisions of the protocol on the fundamental principles for establishing peace and national accord in Tajikistan, signed by the President of the Republic of Tajikistan and the leader of the Tajik opposition on 17 August 1995.[30]

"The Council expresses the hope that the Special Envoy of the Secretary-General will be able to resume promptly his efforts with regard to the preparation of the forthcoming round of talks. The Council reaffirms its full support for the activities of the Special Envoy.

"The Council urges the Tajik parties to comply strictly with the obligations assumed under the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, signed at Teheran on 17 September 1994.[4] The Council expresses the hope that the convening of the talks will contribute to a lessening of tensions along the Tajik-Afghan border and inside Tajikistan.

"The Council notes that the relevant Afghan authorities have given their agreement to the establishment of a liaison post of the United Nations Mission of Observers in Tajikistan in Taloqan (northern Afghanistan). The Council welcomes this development and agrees with the proposal to establish such a post as put forward in paragraph 20 of the report of the Secretary-General of 16 September 1995,[32] with the privileges and immunities necessary for the security of the United Nations personnel concerned and for their ability to carry out the mandate.

"The Council also notes the Secretary-General's observations regarding the strengthening of the Mission in paragraph 21 of his report. The Council supports a corresponding increase in the Mission's strength."

In a letter dated 15 November 1995,[33] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 13 November 1995 concerning the extension of the mandate of your Special Envoy to Tajikistan until 26 March 1996[34] has been brought to the attention of the members of the Council. They take note of your decision."

At its 3606th meeting, on 14 December 1995, the Council considered the item entitled:

"The situation in Tajikistan and along the Tajik-Afghan border

"Report of the Secretary-General on the situation in Tajikistan (S/1995/1024)".[35]

Resolution 1030 (1995)

of 14 December 1995

The Security Council,

Recalling all its previous resolutions and the statements by its President, in particular, the statement by its President of 6 November 1995,[31]

Having considered the report of the Secretary-General of 8 December 1995,[36]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming the beginning of the continual round of talks between the Government of Tajikistan and the Tajik opposition in Ashgabat,

Commending the efforts of the Secretary-General and his Special Envoy as well as of the countries and regional organizations acting as observers at the inter-Tajik talks,

Emphasizing that the primary responsibility for resolving their differences rests with the Tajik parties themselves and that the international assistance provided pursuant to the present resolution must be linked to the process of national reconciliation and the promotion of democracy,

Recalling the commitments made by the Tajik parties to resolve the conflict and to achieve national reconciliation in the country exclusively through peaceful political means on the basis of mutual concessions and compromises, and stressing the inadmissibility of any hostile acts on the Tajik-Afghan border,

Recalling the joint appeal by the Presidents of the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan of 10 February 1995 addressed to the President of the Security Council,[22] the statements of Ministers for Foreign Affairs of these countries of 24 August[23] and 30 September 1993,[24] 13 October 1994,[25] and 26 January[26] and 20 April 1995[27] addressed to the Secretary-General,

Taking note with appreciation of the statement of the Ministry of Foreign Affairs of the Russian Federation of 26 April 1995 that the Russian border forces and the Russian military personnel of the collective peacekeeping forces of the Commonwealth of Independent States in Tajikistan, respecting and recognizing the agreements between the Tajik parties, do not violate them in the performance of their duties,

Expressing its satisfaction at the close contacts of the United Nations Mission of Observers in Tajikistan with the parties to the conflict, as well as at its liaison with the collective peacekeeping forces of the Commonwealth of Independent States, the border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

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[31] S/PRST/1995/54.

[32] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/799.

[33] S/1995/955.

[34] S/1995/954.

[35] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[36] Ibid., document S/1995/1024.

1. *Welcomes* the report of the Secretary-General of 8 December 1995;[36]

2. *Decides* to extend the mandate of the United Nations Mission of Observers in Tajikistan until 15 June 1996, subject to the proviso that the Agreement on a Temporary Ceasefire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks signed at Tehran on 17 September 1994[4] remains in force and the parties continue to be committed to an effective ceasefire, to national reconciliation and to the promotion of democracy, and further decides that the mandate will remain in effect unless the Secretary-General reports that these conditions have not been met;

3. *Requests* the Secretary-General to continue to pursue, through the good offices of his Special Envoy and with the assistance of the countries and regional organizations acting as observers at the inter-Tajik talks, efforts to speed up the progress towards the establishment of a durable peace and national accord in Tajikistan;

4. *Also requests* the Secretary-General to report to the Council every three months on the progress towards a comprehensive political settlement of the conflict and on the operations of the Mission;

5. *Reiterates its call* upon the parties to cooperate fully with the Mission, and to ensure the safety and freedom of movement of United Nations personnel;

6. *Regrets* the slow rate of progress towards a political solution to the conflict in Tajikistan, and emphasizes the need for the Tajik parties to take the opportunity of the continual round of talks in Ashgabat to reach a general agreement which will restore peace and national accord in their country in accordance with the provisions of the protocol on the fundamental principles for establishing peace and national accord in Tajikistan, signed by the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan on 17 August 1995;[30]

7. *Calls upon* the parties to cooperate fully with the Special Envoy of the Secretary-General in order to achieve a comprehensive political settlement of the conflict through the inter-Tajik dialogue;

8. *Also calls upon* the parties to implement without delay all the confidence-building measures to which they committed themselves during the fourth round of the inter-Tajik talks;

9. *Encourages* the continuation of direct political dialogue between the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan;

10. *Emphasizes* the absolute necessity for the parties to comply fully with all the obligations they have assumed, and urges them, in particular, to observe strictly the Tehran Agreement of 17 September 1994[4] and to agree to its substantial extension;

11. *Stresses* the urgency of the cessation of all hostile acts on the Tajik-Afghan border, and calls upon all States and others concerned to discourage any activities that could complicate or hinder the peace process in Tajikistan;

12. *Encourages* the relevant Afghan authorities to facilitate the arrangements that will permit the establishment of a liaison post at Taloqan in northern Afghanistan;

13. *Underlines* the need to develop further close cooperation between the Mission and the parties to the conflict, as well as its close liaison with the collective peacekeeping forces of the Commonwealth of Independent States in Tajikistan, the Russian border forces and the mission in Tajikistan of the Organization of Security and Cooperation in Europe;

14. *Welcomes* the successful resettlement of the vast majority of internally displaced persons and refugees and the role played by the Office of the United Nations High Commissioner for Refugees in this effort, and commends the activities of other agencies and organizations assisting the civilian population;

15. *Welcomes* the contributions to the voluntary fund established by the Secretary-General in accordance with its resolution 968 (1994) of 16 December 1994, reiterates its encouragement to other States to contribute thereto, and also welcomes the voluntary contribution made to the Mission;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3606th meeting.

THE SITUATION IN SIERRA LEONE

Decisions

In a letter dated 7 February 1995,[1] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 1 February 1995 concerning the appointment of Mr. Berhanu Dinka of Ethiopia as your Special Envoy for Sierra Leone[2] has been brought to the attention of the members of the Council. They welcome the decision contained in your letter."

At its 3597th meeting, on 27 November 1995, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Report of the Secretary-General on the situation in Sierra Leone (S/1995/975)".[3]

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[1] S/1995/121.

[2] S/1995/120.

[3] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[4]

"The Security Council has considered the report of the Secretary-General of 21 November 1995 on the situation in Sierra Leone.[5] It is deeply concerned at the conflict in that country and at the suffering resulting from it, in particular that of the nearly two million internally displaced Sierra Leoneans. It calls for an immediate end to the fighting.

"The Council expresses its appreciation to the Secretary-General for his offer of good offices in Sierra Leone and urges the Revolutionary United Front to take advantage of that offer, thus enabling both parties to enter into negotiations. It thanks the Special Envoy of the Secretary-General for his efforts to that end, in close coordination with the Organization of African Unity, the Commonwealth, the Economic Community of West African States and other organizations and neighbouring States supporting the negotiations and the process of democratization in Sierra Leone, and welcomes the Secretary-General's decision that his Special Envoy's mission should continue for the time being.

"The Council stresses the importance it attaches to a coordinated international effort to alleviate the humanitarian situation in Sierra Leone. It welcomes the Secretary-General's efforts in this regard and his initiative in preparing, in collaboration with the Government of Sierra Leone, an action plan for the demobilization and reintegration of combatants.

"The Council underlines the need for generous humanitarian assistance in a situation in which nearly half the population of the country has been internally displaced and calls upon Member States to provide such assistance. The Council commends those humanitarian agencies active in Sierra Leone. The Council deeply deplores attacks on humanitarian convoys and demands that those responsible cease such actions immediately.

"The Council welcomes the programme of transition to democratic constitutional rule set by the Government of Sierra Leone, which is crucial to the restoration of peace and stability in that country. It expresses its strong support for the work of the Interim National Electoral Commission in preparing for the elections to be held on 26 February 1996. It welcomes the assistance being given by the United Nations to the Commission at the request of the Government of Sierra Leone, and calls upon Member States to provide the fullest possible material and financial support to the Commission in order to ensure the success of the elections, with the broadest possible participation.

"The Council urges the Secretary-General to continue to monitor closely the situation in Sierra Leone."

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[4] S/PRST/1995/57.

[5] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/975.

THE SITUATION CONCERNING RWANDA[1]

Decisions

At its 3500th meeting, on 10 February 1995, the Security Council considered the item entitled:

"The situation concerning Rwanda

"Second report of the Secretary-General on security in the Rwandese refugee camps (S/1995/65)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered the second report of the Secretary-General of 25 January 1995 on security in the Rwandese refugee camps,[4] particularly those located in Zaire and his letter dated 1 February 1995 on this subject.[5]

"The Council agrees with the Secretary-General's assessment that the present situation in many of the refugee camps remains dangerous for both refugees and relief workers and that the situation is also potentially destabilizing for the region as a whole. It is gravely concerned at reports of continuing intimidation and security problems in the camps, particularly in Zaire, and reaffirms its condemnation of actions of former Rwandese leaders living in the camps and of former government forces and militias to prevent, in some cases by force, the repatriation of the refugees. It also remains concerned at the security threat to international relief workers. It welcomes the steps taken by some of the host countries concerned to improve the security situation in the camps. The Council remains concerned at the obstacles posed by the former civil and military authorities and militias to effective local administration by the host countries and the discharge by the Office of the United Nations High Commissioner for Refugees of its mission.

"The Council attaches great importance to the earliest possible action to address the security problems in the camps. In this context it welcomes the decision that the Office of the United Nations High Commissioner for Refugees, under its refugee protection and humanitarian assistance mandate, shall conclude appropriate arrangements with the Government of Zaire to enhance security in the camps. It welcomes the agreement between the

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[1] Resolutions or decisions on this question were also adopted by the Council in 1993 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[3] S/PRST/1995/7.

[4] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/65.

[5] Ibid., document S/1995/127.

Office of the High Commissioner and the Government of Zaire of 27 January 1995 to deploy 1,500 Zairian security forces and a liaison group of the Office of the High Commissioner. It also welcomes the agreement reached between the Governments of Zaire and Rwanda on the return of refugees and property and urges its full implementation. The Council urges Member States to provide the Office of the High Commissioner with the resources needed in the context of the agreement concluded between it and the Government of Zaire. It stresses the importance of close coordination of all operations with the United Nations Assistance Mission in Rwanda. The Council endorses the efforts of the Office of the High Commissioner, in cooperation with the United Republic of Tanzania, to put in place security arrangements in the Tanzanian camps, and encourages the Office of the High Commissioner also to address the situation in Burundi. The Council requests the Secretary-General to report to it on a regular basis on the implementation of operations carried out by the Office of the High Commissioner.

"The Council stresses the importance of ensuring that accurate information about the situation inside Rwanda is disseminated to the camps. In this respect, it reaffirms the importance of Radio UNAMIR commencing its broadcasts as soon as possible.

"The Council encourages efforts to provide security in the camps and notes that they have to be accompanied by further efforts in Rwanda to ensure that refugees can return to their homes without fear of retribution or persecution. In this regard it acknowledges the achievements of the Government of Rwanda, despite the difficulty of the task and the lack of resources. It encourages the Government of Rwanda to continue to provide a framework for the action to be taken to repatriate the refugees, to promote national reconciliation and to reinvigorate the political process, and calls upon the international community to continue to support the Government of Rwanda in its task. The Council reaffirms its view that such a framework should also include an appropriate mechanism for sustaining a dialogue between the Government of Rwanda, the refugee community and the United Nations. It welcomes the conclusions of the summit meeting of leaders in the region, held at Nairobi on 7 January 1995. The Council encourages the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, established by resolution 955 (1994) in its work, and encourages as well efforts to rebuild the local Rwandan judicial system to facilitate the maintenance of law and order. The Council welcomes the commitments made at the recent Round-table Conference on Rwanda and in response to the consolidated inter-agency appeal that will assist the Government of Rwanda in its efforts to rebuild the country and to promote national reconciliation.

"The Council looks forward to the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, to be hosted by the Organization of African Unity and the Office of the High Commissioner at Bujumbura from 15 to 17 February 1995. The Council expresses the hope that the Conference will lead to further progress in creating the conditions necessary for the refugees and displaced persons to return to their homes and that it will facilitate the identification of long-term solutions to promote and ensure peace, security and development in the region, those issues to be the subject-matter of a further and broader conference of a political nature.

"The Council underlines the fact that the presence of the refugee camps should be only temporary and that the return of the refugees to their homes in Rwanda remains the ultimate goal. It requests the Secretary-General to continue his exploration of all options and to make any further recommendations necessary for ensuring security in the camps as soon as possible and to submit a further report on this subject in the light of the outcome of the Bujumbura Conference.

"The Council will remain seized of the matter and will keep it under close review."

In a letter dated 10 February 1995,[6] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have considered your progress report on the United Nations Assistance Mission for Rwanda.[7] They draw attention to the statement by the President of the Security Council of 10 February 1995.[3] They agree with your recommendation that the strength of the civilian police component of the Mission should be increased from ninety to one hundred and twenty police observers. They believe that an increase in the number of human rights officers in the Human Rights Field Operation in Rwanda is desirable. They also note that a functioning judicial system is essential in the government recovery programme for the establishment of internal security, and also for the return of the refugees. They attach importance to the establishment of an effective mine-clearance programme in Rwanda on the basis of the plan submitted by the United Nations in Kigali. They express their hope that the difficulties affecting the radio station of the Mission will soon be overcome and they insist that it commence broadcasting without delay."

At its 3502nd meeting, on 22 February 1995, the Council considered the item entitled:

"The situation concerning Rwanda

"Report of the Secretary-General pursuant to paragraph 5 of Security Council resolution 955 (1994) (S/1995/134)".[2]

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[6] S/1995/130.

[7] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/107.

Resolution 977 (1995)

of 22 February 1995

The Security Council,

Recalling its resolution 955 (1994) of 8 November 1994,

Having regard to its decision contained in paragraph 6 of resolution 955 (1994) that the seat of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, shall be determined by the Council,

Having considered the report of the Secretary-General of 13 February 1995,[8] and noting the recommendation of the Secretary-General that, subject to appropriate arrangements between the United Nations and the Government of the United Republic of Tanzania acceptable to the Council, Arusha be determined as the seat of the International Tribunal for Rwanda,

Noting the willingness of the Government of Rwanda to cooperate with the International Tribunal for Rwanda,

Decides that, subject to the conclusion of appropriate arrangements between the United Nations and the Government of the United Republic of Tanzania, the International Tribunal for Rwanda shall have its seat at Arusha.

Adopted unanimously at the 3502nd meeting.

Decision

At its 3504th meeting, on 27 February 1995, the Security Council considered the item entitled "The situation concerning Rwanda".

Resolution 978 (1995)

of 27 February 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolutions 935 (1994) of 1 July 1994 and 955 (1994) of 8 November 1994,

Expressing once again its grave concern at the reports indicating that genocide and other systematic, widespread and flagrant violations of international humanitarian law have been committed in Rwanda,

Noting that these reports were confirmed in the final report of the Commission of Experts submitted pursuant to resolution 935 (1994),[9]

Recalling the obligations contained in its resolution 955 (1994), by which it created the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994,

Concerned by the conditions in the refugee camps outside Rwanda, including reports of violence directed against refugees who voluntarily wish to return to Rwanda,

Determined to put an end to violations of international humanitarian law and serious acts of violence directed against refugees, and that effective measures be taken to bring to justice the persons who are responsible for such crimes,

Taking note of the reports of the Secretary-General of 18 November 1994[10] and 25 January 1995[4] on security in the Rwandese refugee camps,

Welcoming the report of the Secretary-General of 13 February 1995,[8] and stressing the importance of taking all measures for the early and effective functioning of the International Tribunal for Rwanda,

Stressing the need for States to take as soon as possible any measures necessary under their domestic law to implement the provisions of resolution 955 (1994) and of the statute of the International Tribunal for Rwanda,

1. *Urges* States to arrest and detain, in accordance with their national law and relevant standards of international law, pending prosecution by the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, or by the appropriate national authorities, persons found within their territory against whom there is sufficient evidence that they were responsible for acts within the jurisdiction of the International Tribunal for Rwanda;

2. *Urges* States that detain persons referred to in paragraph 1 above to inform the Secretary-General and the Prosecutor of the International Tribunal for Rwanda of the identity of the persons detained, the nature of the crimes believed to have been committed, the evidence providing probable cause for the detentions, the date when the persons were detained and the place of detention;

3. *Also urges* States that detain such persons to cooperate with representatives of the International Committee of the Red Cross, as well as investigators for the International Tribunal for Rwanda, in order to secure unimpeded access to those persons;

4. *Condemns* all attacks against persons in the refugee camps near the borders of Rwanda, demands that such attacks immediately cease, and calls upon States to take appropriate steps to prevent such attacks;

5. *Urges* States on whose territory serious acts of violence in the refugee camps have taken place to arrest and detain, in accordance with their national law and relevant standards of international law, and submit to the appropriate authorities for the purpose of the prosecution of persons against whom there is sufficient evidence that they

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[8] Ibid., document S/1995/134.

[9] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1405.

[10] Ibid., document S/1994/1308.

have incited or participated in such acts, and also urges the States concerned to keep the Secretary-General informed of the measures they have taken to this effect;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3504th meeting.

Decision

At its 3524th meeting, on 24 April 1995, the Security Council considered the item entitled:

"The situation concerning Rwanda

"Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for such violations committed in the territory of neighbouring States

"Establishment of the list of candidates for Judges on the International Tribunal for Rwanda".

Resolution 989 (1995)

of 24 April 1995

The Security Council,

Recalling its resolution 955 (1994) of 8 November 1994,

Having decided to consider the nominations received by the Secretary-General before 7 April 1995 for judges of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994,

Establishes the following list of candidates in accordance with article 12 of the statute of the International Tribunal for Rwanda:

Mr. Lennart ASPEGREN (Sweden)
Mr. Kevin HAUGH (Ireland)
Mr. Laïty KAMA (Senegal)
Mr. T. H. KHAN (Bangladesh)
Mr. Wamulungwe MAINGA (Zambia)
Mr. Yakov A. OSTROVSKY (Russian Federation)
Ms. Navanethem PILLAY (South Africa)
Mr. Edilbert RAZAFINDRALAMBO (Madagascar)
Mr. William H. SEKULE (United Republic of Tanzania)
Ms. Anne Marie STOLTZ (Norway)
Mr. Jiři TOMAN (Czech Republic/Switzerland)
Mr. Lloyd G. WILLIAMS (Jamaica/Saint Kitts and Nevis).

Adopted unanimously at the 3524th meeting.

Decisions

At its 3526th meeting, on 27 April 1995, the Security Council considered the item entitled:

"The situation concerning Rwanda

"Progress report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/297)[11]

"Third report of the Secretary-General on security in the Rwandese refugee camps (S/1995/304)".[11]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[12]

"The Security Council has considered the progress report of the Secretary-General of 9 April 1995 on the United Nations Assistance Mission for Rwanda[13] and his third report on security in the Rwandese refugee camps of 14 April 1995,[14] as well as the oral briefings from the Secretariat on the tragic events on 22 April 1995 at the Kibeho camp for internally displaced persons.

"The Council condemns the killing of numerous civilians in the camp and is encouraged by the decision of the Government of Rwanda to carry out a full investigation of these events without delay and to bring to justice those responsible. In this regard, it welcomes the decision of the Rwandan authorities to carry out an independent inquiry of the events with United Nations and other international participation. The Council also requests the Secretary-General to report to it without delay on these events and on the role of the Mission.

"The Council is concerned by the generally deteriorating security situation in Rwanda. It underlines the fact that the Government of Rwanda bears primary responsibility for maintaining security throughout the country and for the safety of internally displaced persons and returnees, as well as for ensuring respect for their basic human rights. In this context, it reaffirms the need for coordination between the Government of Rwanda and the Mission and other agencies on these matters. The Council does, however, note with satisfaction that the Government of Rwanda has in previous months made considerable efforts directed at national reconciliation, rehabilitation and reconstruction, which are of crucial importance. The Council calls upon the Government of Rwanda to intensify those efforts and upon the international community to continue to support those efforts in order to bring about a climate of trust and confidence which would assist in the early and safe return of refugees. In this context, it underlines the importance it attaches to demining, including the United Nations proposal.

"The Council notes with deep concern disturbing reports of increased incursions into Rwanda from neighbouring countries, allegations of arms shipments into the Goma airport and of elements of the former Rwandese Government Forces being trained in a neighbouring country. It calls upon all States, especially those neighbouring Rwanda, to refrain from any action that would further exacerbate the security situation in that country and to prevent incursions into Rwanda from their own territories. The Council invites States and organizations which have information on the transport of arms into countries neighbouring Rwanda for the purpose of their use in Rwanda in contravention of resolution 918 (1994) to pass that information to the Committee established pursuant to resolution 918 (1994) and requests the Committee to consider that information as a matter of urgency and to report thereon to the Council.

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[11] Ibid., *Fiftieth Year, Supplement for April, May and June 1995.*

[12] S/PRST/1995/22.

[13] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/297.

[14] Ibid., document S/1995/304.

"The Council notes with satisfaction that the deployment of the Zairian camp security contingent and the civilian security liaison group has had a positive effect on the security situation in refugee camps in Zaire.

"The Council pays tribute to all members of the Mission. It reaffirms that the Mission constitutes one essential factor for creating a climate of confidence and for promoting stability and security. In this context, it underlines the responsibility of the Government of Rwanda for the safety and security of all Mission personnel and other international staff serving in the country. It urges the Rwandan authorities to proceed with the exchange of letters supplementing the agreement on the status of the Mission and its personnel, reflecting the changes in the Mission's mandate pursuant to Council resolution 918 (1994). The Council calls for increased cooperation and collaboration between the Government of Rwanda, its neighbouring countries and the Mission, as well as other agencies, including in the humanitarian field.

"The Council expresses grave concern at the situation created by the overcrowded prisons in Rwanda, which has resulted in the death of numerous persons in custody, and requests the Secretary-General to consider urgently measures which could be taken quickly in conjunction with the Government of Rwanda and humanitarian agencies to improve the conditions of those in detention or under investigation. The Council emphasizes that the development of the Rwandan justice system continues to be an important factor in creating conditions of security, law and order, conducive to the return of refugees from abroad and of displaced persons to their homes. The Council calls upon the international community to assist the Government of Rwanda in re-establishing the justice system as a contribution to confidence-building and the maintenance of law and order.

"The Council expresses its appreciation for the action of those States which have arrested and detained persons following the adoption of resolution 978 (1995). It urges States, in accordance with that resolution, to arrest and detain persons against whom there is sufficient evidence of responsibility for acts within the jurisdiction of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994. It requests the Secretary-General to facilitate the rapid establishment of the Tribunal.

"The Council requests the Government of Rwanda to facilitate the delivery and distribution of humanitarian assistance to refugees and displaced persons in need, in conformity with the principles and current practice of the Office of the United Nations High Commissioner for Refugees. It invites States and donor agencies to deliver on their earlier commitments and to further increase their assistance. It urges all Governments in the region to keep their borders open for this purpose.

"The Council appeals to all States to act in accordance with recommendations adopted at the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, in order to facilitate the return of refugees. The Council welcomes the Dar-es-Salaam trilateral agreement of 12 April 1995, on the voluntary repatriation of Rwandan refugees from the United Republic of Tanzania.

"The Council reaffirms the view that an international conference would contribute substantially to peace and security in the region. It welcomes the intention of the Secretary-General to carry out consultations with all concerned so that such a conference can be held at the earliest possible date.

"The Council will remain seized of the matter."

At its 3542nd meeting, on 9 June 1995, the Council decided to invite the representative of Zaire to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

"Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/457)".[11]

Resolution 997 (1995)

of 9 June 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993, by which it established the United Nations Assistance Mission for Rwanda, and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of the Mission,

Having considered the report of the Secretary-General of 4 June 1995,[15]

Recalling also its resolution 955 (1994) of 8 November 1994, by which it established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offences in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,[16]

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[15] Ibid., document S/1995/457.

[16] Peace Agreement between the Government of the Rwandese Republic and the Rwandese Patriotic Front, signed at Arusha, United Republic of Tanzania, on 4 August 1993; see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26915.

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime, and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the United Nations High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all Mission personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the Regional Conference on Security, Stability and Development,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Rwanda until 8 December 1995, and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of the present resolution and to 1,800 troops within four months;

2. *Decides* to maintain the current level of military observers and civilian police personnel;

3. *Decides*, in the light of the current situation in Rwanda, to adjust the mandate of the Mission so that the Mission will:

(*a*) Exercise its good offices to help to achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;[16]

(*b*) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and their reintegration in their home communities and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country with military and police observers;

(*c*) Support the provision of humanitarian aid and of assistance and expertise in engineering, logistics, medical care and demining;

(*d*) Assist in the training of a national police force;

(*e*) Contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, including full-time protection for the Prosecutor's Office, as well as those of human rights officers, and to contribute also to the security of humanitarian agencies in case of need;

4. *Affirms* that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of arms and *matériel* specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or *matériel* within Rwanda;

5. *Calls upon* the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that such arms and *matériel* are not transferred to Rwandan camps within their territories;

6. *Requests* the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers and, as a matter of priority, to consult the Government of Zaire on the deployment of observers, including in the airfields located in eastern Zaire, in order to monitor the sale or supply of arms and *matériel* referred to above, and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of the present resolution;

7. *Takes note* of the cooperation existing between the Government of Rwanda and the Mission in the implementation of its mandate, and urges the Government of Rwanda and the Mission to continue to implement the agreements made between them, in particular the status-of-mission agreement of 5 November 1993 and any subsequent agreement concluded to replace that agreement, in order to facilitate the implementation of the new mandate;

8. *Commends* the efforts of States, United Nations agencies and non-governmental organizations that have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate its delivery and distribution;

9. *Calls upon* States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance and, in particular, to support the early and effective functioning of the International Tribunal for Rwanda and the rehabilitation of the Rwandan judicial system;

10. *Encourages* the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda, including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. *Requests* the Secretary-General to report to the Council by 9 August and 9 October 1995 on the discharge by the Mission of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3542nd meeting.

Decision

At its 3555th meeting, on 17 July 1995, the Security Council considered the item entitled "The situation concerning Rwanda".

Resolution 1005 (1995)

of 17 July 1995

The Security Council,

Recalling its resolutions 918 (1994) of 17 May 1994 and 997 (1995) of 9 June 1995,

Noting with concern that unexploded landmines constitute a substantial hazard to the population of Rwanda and an impediment to the rapid reconstruction of the country,

Noting also the desire of the Government of Rwanda to address the problem of unexploded landmines and the interest on the part of other States to assist with the detection and destruction of these mines,

Underlining the importance the Council attaches to efforts to eliminate the threat posed by unexploded landmines in a number of States and the humanitarian nature of demining programmes,

Recognizing that safe and successful humanitarian demining operations in Rwanda will require the supply to Rwanda of an appropriate quantity of explosives for use in these operations,

Acting under Chapter VII of the Charter of the United Nations,

Decides that, notwithstanding the restrictions imposed in paragraph 13 of resolution 918 (1994), appropriate amounts of explosives intended exclusively for use in established humanitarian demining programmes may be supplied to Rwanda upon application to and authorization by the Security Council Committee established pursuant to resolution 918 (1994).

Adopted unanimously at the 3555th meeting.

Decision

At its 3566th meeting, on 16 August 1995, the Security Council decided to invite the representative of Zaire to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

Report of the Secretary-General on the implementation of paragraph 6 of Security Council resolution 997 (1995) of 9 June 1995 (S/1995/552)[17]

"Progress report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/678)".[17]

Resolution 1011 (1995)

of 16 August 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995 and 1005 (1995) of 17 July 1995,

Having considered the report of the Secretary-General of 9 July 1995 on monitoring the restrictions on the sale or supply of arms,[18]

Having considered also the progress report of the Secretary-General of 8 August 1995 on the United Nations Assistance Mission for Rwanda,[19]

Emphasizing that the uncontrolled circulation of arms, including to civilians and refugees, is a major cause of destabilization in the Great Lakes region,

Welcoming the proposal of the Government of Zaire to establish an international commission under United Nations auspices to investigate reports of arms supplies to former Rwandese Government Forces,

Recognizing that the registration and marking of weapons are of considerable assistance in monitoring and enforcing restrictions on the illicit deliveries of weapons,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime, and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Stressing the need for representatives of all sectors of Rwandan society, excluding those political leaders suspected of planning and directing the genocide in 1994, to begin talks in order to reach an agreement on a constitutional and political structure to achieve lasting stability,

Taking note of the letter dated 5 July 1995 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council,[20] requesting urgent action to lift the restrictions on the sale or supply of arms and *matériel* to the Government of Rwanda to ensure the security of the Rwandan population,

Welcoming the improvement in the working relations between the Government of Rwanda and the Mission, and recalling the mandate of the Mission, as adjusted in resolution 997 (1995), in particular to help to achieve national reconciliation,

Recalling that the prohibition on the delivery of arms and *matériel* to Rwanda was originally aimed at stopping the use of such arms and equipment in the massacres of innocent civilians,

Taking note of the Council's decision in its resolution 997 (1995) to reduce the force level of the Mission, and reaffirming that the security of that country is the primary responsibility of the Government of Rwanda,

Deeply concerned by the situation in Rwanda's prisons and judicial system, particularly overcrowding, the lack of judges, detention of minors and elderly prisoners and the absence of speedy judicial or administrative review of charges, and, in this respect, welcoming renewed efforts by the United Nations and donor countries, in coordination with the Government of Rwanda, to initiate, on an urgent basis, measures to improve this situation,

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[17] See *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995.*

[18] Ibid., document S/1995/552.

[19] Ibid., document S/1995/678.

[20] Ibid., document S/1995/547.

Underlining the need for increased efforts by the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

A

1. *Commends* the efforts of the Secretary-General and his Special Envoy in pursuing regional responses to the problem of illicit arms supplies in the region, and encourages the Secretary-General to continue his consultations in this regard;

2. *Requests* the Secretary-General, as proposed in paragraph 45 of his report,[19] to make recommendations to the Security Council, as soon as possible, on the establishment of a commission mandated to conduct a full investigation to address allegations of arms flows to former Rwandese Government Forces in the Great Lakes region of Central Africa;

3. *Calls upon* the Governments of Rwanda and neighbouring States to cooperate with the commission's investigation;

4. *Encourages* the Secretary-General to continue his consultations with the Governments of neighbouring States concerning the deployment of United Nations military observers in the airfields and other transportation points in and around border crossing points, and calls upon the neighbouring States to cooperate with and assist those observers to ensure that arms and related *matériel* are not transferred to Rwandan camps within their territories;

5. *Requests* the Secretary-General to report to the Council within one month of the adoption of the present resolution on his efforts for the preparation and convening, at the earliest possible time, of the Regional Conference on Security, Stability and Development, as well as for the convening of a regional meeting to address the problems facing the repatriation of refugees;

6. *Calls upon* the Government of Rwanda to continue its efforts to create an atmosphere of trust and confidence for the safe return of refugees and take further steps to resolve the humanitarian problems in its prisons and to expedite disposition of the charges against those detained;

B

Acting under Chapter VII of the Charter of the United Nations,

7. *Decides* that, with immediate effect and until 1 September 1996, the restrictions imposed by paragraph 13 of resolution 918 (1994) shall not apply with regard to the sale or supply of arms and related *matériel* to the Government of Rwanda through named points of entry on a list to be supplied by that Government to the Secretary-General, who shall promptly notify all States Members of the United Nations of the list;

8. *Decides also* that on 1 September 1996 the restrictions imposed by paragraph 13 of resolution 918 (1994) on the sale or supply of arms and related *matériel* to the Government of Rwanda shall terminate, unless the Council decides otherwise after its consideration of the second report of the Secretary-General referred to in paragraph 12 below;

9. *Decides further*, with a view to prohibiting the sale and supply of arms and related *matériel* to non-governmental forces for use in Rwanda, that all States shall continue to prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary police equipment and spare parts, to Rwanda, or to persons in the States neighbouring Rwanda if such sale or supply is for the purpose of the use of such arms or *matériel* within Rwanda, other than to the Government of Rwanda as specified in paragraphs 7 and 8 above;

10. *Decides* that no arms or related *matériel* sold or supplied to the Government of Rwanda may be resold to, transferred to, or made available for use by, any State neighbouring Rwanda, or person not in the service of the Government of Rwanda, either directly or indirectly;

11. *Decides also* that States shall notify the Committee established pursuant to resolution 918 (1994) of all exports from their territories of arms or related *matériel* to Rwanda, that the Government of Rwanda shall mark and register and notify the Committee of all imports made by it of arms and related *matériel*, and that the Committee shall report regularly to the Council on notifications so received;

12. *Requests* the Secretary-General to report to the Council within six months of the date of adoption of the present resolution, and again within twelve months, regarding, in particular, the export of arms and related *matériel* referred to in paragraph 7 above, on the basis of the reports submitted by the Committee established pursuant to resolution 918 (1994);

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3566th meeting.

Decisions

At its 3569th meeting, on 23 August 1995, the Security Council considered the item entitled:

> "The situation concerning Rwanda
>
> "Letter dated 17 August 1995 from the Prime Minister of the Republic of Zaire addressed to the Secretary-General (S/1995/722)[17]
>
> "Letter dated 18 August 1995 from the Secretary-General addressed to the Prime Minister of the Republic of Zaire (S/1995/723)".[17]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[21]

> "The Security Council views with deep concern the forcible repatriation of Rwandan and Burundian refugees by the Government of Zaire and the increasingly tense situation in the region.

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[21] S/PRST/1995/41.

"The Council takes note of the letter dated 17 August 1995 from the Government of Zaire to the Secretary-General[22] and the Secretary-General's reply dated 18 August 1995,[23] in which he urges the Government of Zaire to continue to provide assistance to Rwandan and Burundian refugees.

"The Council considers that Zaire and the other States which have accepted refugees from Rwanda and Burundi make an important contribution, in spite of the considerable difficulties created for them thereby, to peace and stability in the region. Their contribution is of special importance in view of the genocide which took place in Rwanda and the possibility of further bloodshed in Burundi. The Council also notes the commitment of the Government of Rwanda to take the necessary steps to facilitate the safe return of its nationals as soon as possible and encourages it to continue its efforts in order to implement its undertakings in this respect.

"The Council calls upon the Government of Zaire to stand by its humanitarian obligations regarding refugees, including those under the Convention relating to the Status of Refugees of 1951,[24] and to reconsider and halt its declared policy of the forcible repatriation of refugees to Rwanda and Burundi.

"The Council supports the decision by the Secretary-General to send the United Nations High Commissioner for Refugees to the region to engage in urgent discussions with the Government of Zaire and neighbouring States with a view to resolving the situation. It encourages all Governments in the region to cooperate with the High Commissioner to achieve the voluntary and orderly repatriation of refugees. It also calls upon the international community to provide all possible assistance to help to care for the refugees."

In a letter dated 25 August 1995,[25] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 23 August 1995 concerning the appointment of Mr. José Luis Jesus as your Special Envoy to facilitate the preparation and convening of the Regional Conference on Security, Stability and Development in the Great Lakes region of Central Africa[26] has been brought to the attention of the members of the Council. They welcome the proposal contained in your letter."

In a letter dated 7 September 1995,[27] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 29 August 1995 concerning recent developments in Rwanda and the Great Lakes region[28] has been brought to the attention of the members of the Security Council. They believe your letter provides a synopsis of political and humanitarian problems facing the region. They share your concern at the continued gravity of the situation and underline the need for a coordinated and effective response from the international community. The members of the Council therefore express their support for the initiatives you are undertaking, as described in your letter, and look forward to their implementation. The members of the Council will continue to monitor closely future developments in the area."

At its 3574th meeting, on 7 September 1995, the Council decided to invite the representative of Zaire to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

"Letter dated 25 August 1995 from the Secretary-General addressed to the President of the Security Council (S/1995/761)".[17]

Resolution 1013 (1995)

of 7 September 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995 and 1011 (1995) of 16 August 1995,

Having considered the letter dated 25 August 1995 from the Secretary-General to the President of the Security Council on the establishment of a commission of inquiry,[29]

Having considered also the note verbale of 10 August 1995 from the Government of Zaire to the President of the Security Council,[30] and welcoming the proposal of the Government of Zaire contained therein for the establishment under the auspices of the United Nations of an international commission of inquiry and its offer to assist such a Commission,

Recognizing that destabilizing influences in the Great Lakes region, including the illegal acquisition of arms, can be prevented by the cooperative efforts of all Governments concerned,

Expressing once again its grave concern at allegations of the sale and supply of arms and related *matériel* to former Rwandese Government Forces in violation of the embargo imposed under its resolutions 918 (1994), 997 (1995) and 1011 (1995), and underlining the need for Governments to take action to ensure the effective implementation of the embargo,

Underlining the importance of regular consultations between the Commission of Inquiry and the countries concerned, as appropriate, in view of the necessity to respect the sovereignty of States in the region,

1. *Requests* the Secretary-General to establish, as a matter of urgency, an International Commission of Inquiry with the following mandate:

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[22] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/722.

[23] Ibid., document S/1995/723.

[24] United Nations, *Treaty Series*, vol. 189, No. 2545.

[25] S/1995/736.

[26] S/1995/735.

[27] S/1995/774.

[28] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/762.

[29] Ibid., document S/1995/761.

[30] Ibid., document S/1995/683.

(*a*) To collect information and investigate reports relating to the sale or supply of arms and related *matériel* to former Rwandese Government Forces in the Great Lakes region in violation of Council resolutions 918 (1994), 997 (1995) and 1011 (1995);

(*b*) To investigate allegations that such forces are receiving military training in order to destabilize Rwanda;

(*c*) To identify parties aiding and abetting the illegal acquisition of arms by former Rwandese Government Forces, contrary to the Council resolutions referred to above;

(*d*) To recommend measures to end the illegal flow of arms in the region in violation of the Council resolutions referred to above;

2. *Recommends* that the Commission to be appointed by the Secretary-General be composed of five to ten impartial and internationally respected persons, including legal, military and police experts, under the chairmanship of an eminent person and assisted by the appropriate support staff;

3. *Calls upon* States, relevant United Nations bodies, including the Security Council Committee established pursuant to resolution 918 (1994), and, as appropriate, international humanitarian organizations and non-governmental organizations, to collate information in their possession relating to the mandate of the Commission, and requests them to make this information available as soon as possible;

4. *Requests* the Secretary-General to report to the Council on the establishment of the Commission and to submit, within three months of its establishment, an interim report on the conclusions of the Commission and, as soon as possible thereafter, to submit a final report containing its recommendations;

5. *Calls upon* the Governments of the States concerned in which the Commission will carry out its mandate to cooperate fully with the Commission in the fulfilment of its mandate, including by responding positively to requests from the Commission for security, assistance and access in pursuing investigations, *inter alia*, by:

(*a*) The adoption by them of any measures needed for the Commission and its personnel to carry out their functions throughout their respective territories with full freedom, independence and security;

(*b*) The provision by them of all information in their possession which the Commission requests, or is otherwise needed to fulfil its mandate, and free access for the Commission and its staff to any relevant archives;

(*c*) The granting of freedom of access at any time to the Commission and its staff to any establishment or place, as they deem necessary for their work, including border points, airfields and refugee camps;

(*d*) The adoption of appropriate measures to guarantee the safety and security of the members of the Commission and the provision of guarantees by the Governments of full respect for the integrity, security and freedom of witnesses, experts and any other persons working with the Commission in the fulfilment of its mandate;

(*e*) The granting of freedom of movement to members of the Commission, including freedom to interview any person in private, at any time, as appropriate;

(*f*) The granting of relevant privileges and immunities in accordance with the Convention on the Privileges and Immunities of the United Nations;[31]

6. *Recommends* that the Commission begin its work as soon as possible, and, to this end, requests the Secretary-General to pursue his consultations with the countries of the region;

7. *Calls upon* all States to cooperate with the Commission in facilitating its investigations;

8. *Encourages* States to make voluntary contributions to the Trust Fund for Rwanda, established by the Secretary-General, as a supplement to financing the work of the Commission as an expense of the Organization, and to contribute equipment and services to the Commission through the Secretary-General;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3574th meeting.

Decisions

At its 3588th meeting, on 17 October 1995, the Security Council considered the item entitled:

"The situation concerning Rwanda

"Progress report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/848)".[32]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[33]

"The Security Council has considered the report of the Secretary-General of 7 October 1995 on the United Nations Assistance Mission for Rwanda.[34]

"The Council welcomes progress made by the Government of Rwanda in the reconciliation process, including the integration of more than 2,000 members of the former Rwandese Government Forces into the Rwandese Patriotic Army. The Council calls upon the Government of Rwanda to intensify its contacts with all sectors of Rwandan society, except with those directly responsible for the genocide. The Council reiterates its concern at reports about continuing cross-border infiltrations from neighbouring countries which have a destabilizing effect within Rwanda. The Council also reiterates its concern at the danger for peace and stability in the Great Lakes region which would be caused by uncontrolled arms flows and, in this context, reaffirms the relevant provisions of its resolution 1013 (1995). The Council condemns all acts of violence in Rwanda. The Council welcomes the fact that the Government of Rwanda has voluntarily and without delay initiated an investigation into the killing of civilians at Kanama and expects that prosecution of those responsible will follow.

"The Council again calls upon all States to act in accordance with the conclusions of the summit meeting of the leaders in the region in Nairobi in January 1995 and the recommendations by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995. The Council welcomes recent efforts to improve relations among the States in the region, which should help to pave the way for the proposed Regional Conference on Security, Stability and Development. In this regard, the Council supports the efforts of the Special Envoy of the Secretary-General to the Great Lakes region for the preparation and convening of such a conference. It requests the Secretary-General to submit his report on the results of the first round of consultations of the Special Envoy in the region as soon as possible.

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[31] General Assembly resolution 22 A (I).

[32] See *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995.*

[33] S/PRST/1995/53.

[34] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/848.

"The Council reaffirms the important role the Mission has played in Rwanda and the region. In this respect, the Council underlines its commitment to the Mission which, *inter alia*, assists the Government of Rwanda in facilitating the voluntary return and resettlement of refugees and has made available to the Rwandan authorities its engineering and logistics capacity. The Council underlines the fact that the Mission can effectively implement its current mandate only if it has an adequate force level and sufficient means. The Council stands ready to study carefully any further recommendations that the Secretary-General might make on the issue of force reductions in relation to the fulfilment of the mandate of the Mission.

"The Council reaffirms its view that genuine reconciliation as well as long-lasting stability in the region as a whole cannot be attained without the safe, voluntary and organized return to their country of all Rwandan refugees. In this respect, the Council welcomes the joint efforts of Rwanda, neighbouring countries and the Office of the United Nations High Commissioner for Refugees to speed up the voluntary return of refugees through, *inter alia*, the work of the Tripartite Commissions. The Council underlines the fact that, in order to foster the process of national reconciliation, an effective and credible national judiciary has to be established. In this respect, it welcomes the appointment of the members of the Rwandan Supreme Court. The Council further underlines the fact that the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, should begin its proceedings as soon as possible. The Council calls upon Member States to comply with their obligations with regard to cooperation with the Tribunal in accordance with resolution 955 (1994). It urges once more all States to arrest and detain persons suspected of genocide and other serious violations of international humanitarian law in accordance with resolution 978 (1995). The Council underlines the necessity for the Tribunal to be fully financed, as a matter of priority, and for continued access to the trust fund established for the Tribunal. The Council continues to support the work of human rights monitors in Rwanda in cooperation with the Rwandan Government.

"The Council reaffirms its concern at the appalling situation in the Rwandan prisons. In this respect, it welcomes measures initiated by the Department of Humanitarian Affairs of the Secretariat, in coordination with the international community and the Government of Rwanda, to alleviate the intolerable conditions in Rwandan prisons. It calls upon the international community to continue its assistance in this regard and encourages the Rwandan Government to continue its efforts to improve the situation in the prisons. The Council underlines the importance of parallel action by the Rwandan Government to restore the Rwandan judicial system and requests the international community to assist the Rwandan Government in this urgent task.

"The Council underlines the fact that sound economic foundations are also vital for achieving lasting stability in Rwanda. In this respect, it welcomes the increased commitments and funds pledged for the Government's programme of national reconciliation and socio-economic rehabilitation and recovery following the mid-term review of the Geneva Round-Table Conference, and calls upon the international community to continue to support Rwanda's rehabilitation process.

"The Council will remain seized of the matter."

In a letter dated 20 October 1995,[35] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 16 October 1995 concerning the establishment of the International Commission of Inquiry to investigate reports of military training and arms transfers to former Rwandese Government Forces, pursuant to resolution 1013 (1995),[36] has been brought to the attention of the members of the Security Council. They welcome your decision and take note of the information contained in your letter."

In a letter dated 10 November 1995,[37] the President of the Security Council informed the Secretary-General of the following:

"The members of the Security Council have considered your letter dated 30 October 1995 pursuant to paragraph 5 of Council resolution 1011 (1995) of 16 August 1995.[38] They wish to give every possible support to all efforts to reduce tension and restore stability in the Great Lakes region of Central Africa. They are grateful for your efforts and those of your Special Envoy, Mr. José Luis Jesus, to prepare for the Regional Conference on Security, Stability and Development in the Great Lakes region of Central Africa. They note the views expressed by the Governments of States in the region. They encourage you to continue your contacts with the aim of convening the Conference."

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[35] S/1995/880.

[36] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/879.

[37] S/1995/946.

[38] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/945.

At its 3604th meeting, on 8 December 1995, the Council considered the item entitled:

"The situation concerning Rwanda

"Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/1002)".[32]

Resolution 1028 (1995)

of 8 December 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 997 (1995) of 9 June 1995,

Having considered the report of the Secretary-General of 1 December 1995 on the United Nations Assistance Mission for Rwanda,[39]

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Rwanda for a period expiring on 12 December 1995;

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3604th meeting.

Decision

At its 3605th meeting, on 12 December 1995, the Security Council decided to invite the representative of Canada to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

"Report of the Secretary-General on the United Nations Assistance Mission for Rwanda (S/1995/1002)".[32]

Resolution 1029 (1995)

of 12 December 1995

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993, by which it established the United Nations Assistance Mission for Rwanda, and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, 965 (1994) of 30 November 1994 and 997 (1995) of 9 June 1995, in which it set out the mandate of the Mission,

Recalling its resolution 955 (1994) of 8 November 1994, by which it established the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of committing genocide in Rwanda,

Having considered the report of the Secretary-General of 1 December 1995,[39]

Taking note of the letters dated 13 August and 24 November 1995 from the Minister for Foreign Affairs of Rwanda to the Secretary-General,[40]

Stressing the importance of the voluntary and safe repatriation of Rwandan refugees and of genuine national reconciliation,

Noting with great concern continuing reports of military preparations and incursions into Rwanda by elements of the former regime, underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda, and welcoming, in this context, the establishment of the International Commission of Inquiry pursuant to its resolution 1013 (1995) of 7 September 1995,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of confidence and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Welcoming the summit of heads of State of the Great Lakes region, held at Cairo on 28 and 29 November 1995 and the Declaration issued by the summit on 29 November,[41]

Emphasizing the importance of all States acting in accordance with the recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, and those contained in the Cairo Declaration on the Great Lakes Region,

Commending the continuing efforts of the Government of Rwanda to maintain peace and security as well as to reconstruct and rehabilitate the country,

Recognizing the valuable contribution that the human rights officers deployed by the United Nations High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all Mission personnel and other international staff serving in the country,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Rwanda for a final period until 8 March 1996;

2. *Decides also*, in the light of current efforts to restore peace and stability through the voluntary and safe repatriation of Rwandan refugees, to adjust the mandate of the Mission so that the Mission will:

(*a*) Exercise its good offices to assist in achieving the voluntary and safe repatriation of Rwandan refugees within the frame of reference of the recommendations of the Bujumbura Conference and the Cairo summit of the heads of State of the Great Lakes region and in promoting genuine national reconciliation;

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[39] Ibid., document S/1995/1002.

[40] Ibid., document S/1995/1018.

[41] Ibid., document S/1995/1001.

(*b*) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and, to this end, support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks;

(*c*) Assist the Office of the United Nations High Commissioner for Refugees and other international agencies in the provision of logistical support for the repatriation of refugees;

(*d*) Contribute, with the agreement of the Government of Rwanda, to the protection of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, as an interim measure until alternative arrangements agreed with the Government of Rwanda can be put in place;

3. *Requests* the Secretary-General to reduce the force level of the Mission to 1,200 troops to carry out the mandate set out in paragraph 2 above;

4. *Also requests* the Secretary-General to reduce the number of military observers, headquarters and other military support staff to 200;

5. *Further requests* the Secretary-General to initiate planning for the complete withdrawal of the Mission after the expiry of the present mandate, that withdrawal to take place within a period of six weeks after the expiry of the mandate;

6. *Requests* the Secretary-General to withdraw the civilian police component of the Mission;

7. *Also requests* the Secretary-General to examine, in the context of existing United Nations regulations, the feasibility of transferring non-lethal equipment of the Mission, as elements of the Mission withdraw, for use in Rwanda;

8. *Takes note* of the cooperation existing between the Government of Rwanda and the Mission in the implementation of its mandate, and urges the Government of Rwanda and the Mission to continue to implement the status-of- mission agreement of 5 November 1993 and any subsequent agreement to replace that agreement in order to facilitate the implementation of the new mandate;

9. *Calls upon* the Government of Rwanda to take all necessary measures to ensure that Mission personnel and equipment that are scheduled for withdrawal can be withdrawn in an orderly and safe manner;

10. *Commends* the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate its delivery and distribution;

11. *Calls upon* States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance and in particular to support the early and effective functioning of the International Tribunal for Rwanda and the rehabilitation of the Rwandan justice system;

12. *Also calls upon* States to cooperate fully with the International Commission of Inquiry established pursuant to resolution 1013 (1995);

13. *Encourages* the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda, including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

14. *Requests* the Secretary-General to report to the Council by 1 February 1996 on the discharge by the Mission of its mandate and on progress towards repatriation of refugees;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3605th meeting.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES[1]

Decisions

At its 3505th meeting, on 28 February 1995, the Security Council decided to invite the representatives of Algeria, Brunei Darussalam, Djibouti, Egypt, the Islamic Republic of Iran, Israel, Japan, Jordan, Lebanon, Malaysia, Morocco, Pakistan, the Sudan, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

"The situation in the occupied Arab territories

"Letter dated 22 February 1995 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council (S/1995/151)".[2]

At the same meeting, in response to the request dated 28 February 1995 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council,[3] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the Council's provisional rules of procedure and its previous practice in that regard.

At the same meeting, the Council also decided, at the request of the representative of Morocco[4] to extend an invitation to Mr. Engin Ahmet Ansay, Permanent Observer of the Organization of the Islamic Conference to the

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[1] Resolutions or decisions on the question were also adopted by the Council in 1976, 1979 to 1983, 1985 to 1992 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[3] Document S/1995/166, incorporated in the record of the 3505th meeting.

[4] Document S/1995/165, incorporated in the record of the 3505th meeting.

United Nations, under rule 39 of the Council's provisional rules of procedure.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the Council's provisional rules of procedure, to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

At its 3536th meeting, on 12 May 1995, the Council decided to invite the representatives of Algeria, Australia, Bangladesh, Canada, Cuba, Djibouti, Egypt, Iraq, Israel, the Islamic Republic of Iran, Japan, Jordan, Kuwait, Lebanon, Malaysia, Morocco, Pakistan, Qatar, the Sudan, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

> "The situation in the occupied Arab territories
>
> "Letter dated 8 May 1995 from the representatives of Morocco and the United Arab Emirates to the United Nations addressed to the President of the Security Council (S/1995/366);[5]
>
> "Letter dated 8 May 1995 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council (S/1995/367)".[5]

At the same meeting, in response to the request dated 12 May 1995 from the Permanent Observer of Palestine addressed to the President of the Security Council,[6] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the Council's provisional rules of procedure and its previous practice in that regard.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the Council's provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Upon the first resumption of the meeting on 15 May 1995, the Council decided to invite the representatives of the Libyan Arab Jamahiriya and Saudi Arabia to participate, without vote, in the discussion of the item.

Upon the second resumption of the meeting on 16 May 1995, the Council decided to invite the representative of Mauritania to participate, without vote, in the discussion of the item.

At its 3538th meeting, on 17 May 1995, the Council decided to invite the representatives of Algeria, Australia, Bangladesh, Canada, Cuba, Djibouti, Egypt, the Islamic Republic of Iran, Iraq, Israel, Japan, Jordan, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the same item discussed at its 3536th meeting.

At the 3538th meeting also, in response to the request dated 12 May 1995 from the Permanent Observer of Palestine addressed to the President of the Security Council,[6] the Council decided that an invitation should be extended to the Permanent Observer of Palestine to participate in the debate in accordance with the Council's provisional rules of procedure and its previous practice in that regard.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of the Council's provisional rules of procedure, to the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

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[5] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*.

[6] Document S/1995/388, incorporated in the record of the 3536th meeting.

CENTRAL AMERICA: EFFORTS TOWARDS PEACE[1]

Decisions

In a letter dated 17 February 1995,[2] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 6 February 1995 concerning the arrangement that you propose to put in place following the termination of the United Nations Observer Mission in El Salvador[3] has been brought to the attention of the members of the Security Council. They welcome the proposal contained in your letter that verification responsibilities and the good offices function be carried out under your authority, in the manner you propose."

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1989.

[2] S/1995/144.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/143.

At its 3528th meeting, on 28 April 1995, the Council decided to invite the representatives of Brazil, Colombia, El Salvador, Mexico, Spain and Venezuela to participate, without vote, in the discussion of the item entitled:

"Central America: efforts towards peace

"Report of the Secretary-General on the United Nations Observer Mission in El Salvador (S/1995/220)".[4]

Resolution 991 (1995)

of 28 April 1995

The Security Council,

Recalling all its relevant resolutions and the statements by its President on the question of El Salvador,

Having considered the report of the Secretary-General of 24 March 1995,[5]

Having considered also the report of the Director of the Human Rights Division of the United Nations Observer Mission in El Salvador of 18 April 1995,[6]

Recognizing with satisfaction that El Salvador has evolved from a country riven by conflict into a democratic and peaceful nation,

Paying tribute to those Member States which contributed personnel to the Mission,

Recalling the letters from the Secretary-General dated 6 February 1995[3] and the President of the Security Council dated 17 February 1995,[2]

1. *Pays tribute* to the accomplishments of the United Nations Observer Mission in El Salvador, under the authority of the Secretary-General and his Special Representatives;

2. *Welcomes* the continued commitment of the Government and people of El Salvador to reconciliation, stabilization and the development of political life in El Salvador;

3. *Urges* the Government of El Salvador, the Frente Farabundo Martí para la Liberación Nacional and all concerned in El Salvador to accelerate the pace of implementation of the peace accords and to work together to achieve fulfilment of outstanding commitments in order to ensure the irreversibility of the peace process;

4. *Reiterates its call* that States and international institutions continue to provide assistance to the Government and people of El Salvador as they consolidate the gains made in the peace process;

5. *Affirms*, in accordance with paragraph 8 of resolution 961 (1994), that the mandate of the United Nations Observer Mission in El Salvador will terminate as of 30 April 1995.

Adopted unanimously at the 3528th meeting.

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[4] Ibid., *Supplement for January, February and March 1995.*

[5] Ibid., document S/1995/220.

[6] Ibid., *Supplement for April, May and June 1995*, document S/1995/281.

LETTERS DATED 20 AND 23 DECEMBER 1991 FROM FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA[1]

Decisions

Following consultations among members of the Security Council held on 30 March 1995, the President issued the following statement on behalf of the Council:[2]

"The members of the Security Council held informal consultations on 30 March 1995 pursuant to paragraph 13 of resolution 748 (1992), by which the Council decided to review every one hundred and twenty days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of consultations, the President concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

Following consultations among members of the Security Council held on 28 July 1995, the President issued the following statement on behalf of the Council:[3]

"The members of the Security Council held informal consultations on 28 July 1995 pursuant to paragraph 13 of resolution 748 (1992), by which the Council decided to review every one hundred and twenty days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of consultations, the President concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

Following consultations among members of the Security Council held on 22 November 1995, the President issued the following statement on behalf of the Council:[4]

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[2] S/PRST/1995/14.

[3] S/PRST/1995/36.

[4] S/PRST/1995/56.

"The members of the Security Council held informal consultations on 22 November 1995 pursuant to paragraph 13 of resolution 748 (1992), by which the Council decided to review every one hundred and twenty days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya.

"After hearing all the opinions expressed in the course of consultations, the President concluded that there was no agreement that the necessary conditions existed for modification of the measures of sanctions established in paragraphs 3 to 7 of resolution 748 (1992)."

THE SITUATION IN SOMALIA[1]

Decisions

At its 3513th meeting, on 6 April 1995, the Security Council considered the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia submitted in pursuance of paragraph 13 of Security Council resolution 954 (1994) (S/1995/231)".[2]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[3]

"The Security Council has considered carefully the report of the Secretary-General of 28 March 1995 on the situation in Somalia[4] and notes the successful conclusion of the withdrawal from Somalia of the forces of the United Nations Operation in Somalia II. It expresses its appreciation to those Governments and agencies which have provided the personnel, humanitarian assistance and other support to the peacekeeping operation in Somalia, including those Governments that participated in the multinational operation for the withdrawal of the United Nations Operation in Somalia II. It pays tribute in particular to all personnel who sacrificed their lives in this service.

"The Council underlines the fact that the timely intervention of the United Nations Operation in Somalia II and the humanitarian assistance given to Somalia helped to save many lives and much property, mitigate general suffering and contributed to the search for peace in Somalia. The Council notes that, over the past three years, the United Nations and the international community have made significant efforts to restore peace and stability and facilitate the re-emergence of a civil society. However, the continuing lack of progress in the peace process and in national reconciliation, in particular the lack of sufficient cooperation from the Somali parties over security issues, undermined the United Nations objectives in Somalia and prevented the continuation of the mandate of the United Nations Operation in Somalia II beyond 31 March 1995.

"The Council believes that the Somalia operation provides important lessons for the theory and practice of peacemaking, peacekeeping and peace-building.

"The Council remains convinced that only a genuinely representative and broad-based approach to reconciliation will bring about a lasting political settlement and allow for the re-emergence of a civil society in Somalia. The Council reaffirms, based on its experience in the United Nations Operation in Somalia II, that the people of Somalia bear the ultimate responsibility for achieving national reconciliation and restoring peace to Somalia. The international community can only facilitate, encourage and assist the process, but not try to impose any particular solution on it. The Council, therefore, calls upon the Somali parties to pursue national reconciliation, rehabilitation and reconstruction in the interest of peace, security and development.

"The Council notes the recent agreements reached between the factions in Mogadishu, especially on the control of sea and airport facilities. It expresses the hope that this encouraging development is indicative of a new spirit of cooperation among the factions and that it will lead to further progress in the search for a lasting peace in Somalia.

"The Council supports the view of the Secretary-General that Somalia should not be abandoned by the United Nations, which will continue to assist the Somali people to achieve a political settlement and to provide humanitarian and other support services provided that the Somalis themselves demonstrate a disposition to peaceful resolution of the conflict and to cooperation with the international community. It welcomes the Secretary-General's intention to continue a small political mission, should the Somali parties so wish, to assist them in coming together in national reconciliation and looks forward to the report that the Secretary-General has indicated he will forward on this matter. The Council urges close cooperation between the United Nations and regional organizations, in particular the Organization of African Unity, the League of Arab States and the Organization of the Islamic Conference, as well as the Governments of neighbouring countries in these efforts. The Council considers it essential that the Somali parties clearly express their acceptance of such assistance and their willingness to cooperate with the United Nations.

"The Council recognizes that humanitarian assistance in Somalia is an important element in the effort to restore peace and security in the country. It is therefore important to sustain United Nations humanitarian activities in Somalia and to encourage non-governmental organizations to do likewise. However, their ability to do so will depend on the degree of cooperation and security offered by the Somali parties. The Council welcomes the willingness expressed by the international humanitarian agencies and non-governmental organizations to continue to provide rehabilitation and reconstruction assistance in areas where security is guaranteed by the Somalis. The Council stresses that the creation of a long-lasting, stable and secure environment throughout the country is vital for the resumption of large-scale activity in these fields.

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992, 1993 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

[3] S/PRST/1995/15.

[4] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/231.

"The Council reaffirms the obligations of States to implement fully the embargo on all deliveries of weapons and military equipment to Somalia imposed by paragraph 5 of resolution 733 (1992), and calls upon States, especially neighbouring States, to refrain from actions capable of exacerbating the conflict in Somalia.

"The Council requests the Secretary-General to continue to monitor the situation in Somalia and to keep it informed about further developments. The Council will remain seized of the matter."

In a letter dated 21 April 1995,[5] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 18 April 1995 concerning a continued United Nations political presence in Somalia and the establishment of a small political office to monitor the situation there[6] has been brought to the attention of the members of the Security Council. They note the information contained in the letter and welcome the decision contained therein."

In a letter dated 2 June 1995,[7] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 31 May 1995 concerning the political office for Somalia and the conclusions of the security assessment mission dispatched to Mogadishu[8] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter."

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[5] S/1995/323.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/322.

[7] S/1995/452.

[8] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/451.

THE SITUATION IN CAMBODIA[1]

Decisions

In a letter dated 6 April 1995,[2] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 1 April 1995[3] has been brought to the attention of the members of the Security Council. They take note of the information contained therein and welcome your decision to extend the term of your representative in Cambodia for a further period of six months."

In a letter dated 13 October 1995,[4] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 10 October 1995[5] has been brought to the attention of the members of the Security Council. They take note of the information contained therein and welcome your decision to extend the term of your representative in Cambodia for a further period of six months."

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[1] Resolutions or decisions on this question were also adopted by the Council in 1990, 1991, 1992, 1993 and 1994.

[2] S/1995/269.

[3] S/1995/268.

[4] S/1995/870.

[5] S/1995/869.

THE SITUATION BETWEEN IRAQ AND KUWAIT[1]

Decisions

In a letter dated 10 April 1995,[2] the President of the Security Council informed the Secretary-General of the following:

> "In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report,[3] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission, as well as its modalities of operation.
>
> "I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 7 October 1995.
>
> "I should also like to convey to you the view of the members of the Council that they have taken note of the statement in your report that 'in the performance of its functions, . . . [*the Mission*] has enjoyed the effective cooperation of the Iraqi and Kuwaiti authorities.' The members stressed that Iraq and Kuwait should comply with their commitments to do everything necessary to facilitate fully the freedom of movement of the Mission necessary for the performance of its tasks. The members of the Council also expressed the hope that Iraq and Kuwait will heed the regulations and suggestions of the Mission designed to reduce the risk of incidents along the border."

At its 3519th meeting, on 14 April 1995, the Council decided to invite the representative of Japan to participate, without vote, in the discussion of the item entitled "The situation between Iraq and Kuwait".

Resolution 986 (1995)

of 14 April 1995

The Security Council,

Recalling its previous relevant resolutions,

Concerned by the serious nutritional and health situation of the Iraqi population and by the risk of a further deterioration in this situation,

Convinced of the need to provide, as a temporary measure, for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant Security Council resolutions, notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Authorizes* States, notwithstanding the provisions of paragraphs 3 (*a*), 3 (*b*) and 4 of resolution 661 (1990) and subsequent relevant resolutions, to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of one billion United States dollars every ninety days for the purposes set out in the present resolution and subject to the following conditions:

(*a*) Approval by the Security Council Committee established pursuant to resolution 661 (1990) in order to ensure the transparency of each transaction and its conformity with the other provisions of the present resolution, after submission of an application by the State concerned, endorsed by the Government of Iraq, for each proposed purchase of Iraqi petroleum and petroleum products, including details of the purchase price at fair market value, the export route, the opening of a letter of credit payable to the escrow account to be established by the Secretary-General for the purposes of the present resolution, and of any other directly related financial or other essential transaction;

(*b*) Payment of the full amount of each purchase of Iraqi petroleum and petroleum products directly by the purchaser in the State concerned into the escrow account to be established by the Secretary-General for the purposes of the present resolution;

2. *Authorizes* Turkey, notwithstanding the provisions of paragraphs 3 (*a*), 3 (*b*) and 4 of resolution 661 (1990) and the provisions of paragraph 1 above, to permit the import of petroleum and petroleum products originating in Iraq sufficient, after the deduction of the percentage referred to in paragraph 8 (*c*) below for the Compensation Fund, to meet the pipeline tariff charges, verified as reasonable by the independent inspection agents referred to in paragraph 6 below, for the transport of Iraqi petroleum and petroleum products through the Kirkuk-Yumurtalik pipeline in Turkey authorized by paragraph 1 above;

3. *Decides* that paragraphs 1 and 2 of the present resolution shall come into force at 0001 hours eastern standard time on the day after the President of the Council has informed the members of the Council that he has received the report from the Secretary-General requested in paragraph 13 below, and shall remain in force for an initial period of one hundred and eighty days unless the Council takes other relevant action with regard to the provisions of resolution 661 (1990);

4. *Also decides* to conduct a thorough review of all aspects of the implementation of the present resolution ninety days after the entry into force of paragraph 1 above and again prior to the end of the initial one hundred and eighty-day period, on receipt of the reports referred to in paragraphs 11 and 12 below, and expresses its intention, prior to the end of the one hundred and eighty-day period, to consider favourably renewal of the provisions of the present resolution, provided that the reports referred to in

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1990.

[2] S/1995/280.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995,* document S/1995/251.

paragraphs 11 and 12 below indicate that those provisions are being satisfactorily implemented;

5. *Further decides* that the remaining paragraphs of the present resolution shall come into force forthwith;

6. *Directs* the Committee established pursuant to resolution 661 (1990) to monitor the sale of petroleum and petroleum products to be exported by Iraq via the Kirkuk-Yumurtalik pipeline from Iraq to Turkey and from the Mina al-Bakr oil terminal, with the assistance of independent inspection agents appointed by the Secretary-General, who will keep the Committee informed of the amount of petroleum and petroleum products exported from Iraq after the date of entry into force of paragraph 1 of the present resolution and will verify that the purchase price of the petroleum and petroleum products is reasonable in the light of prevailing market conditions, and that, for the purposes of the arrangements set out in the present resolution, the larger share of the petroleum and petroleum products is shipped via the Kirkuk-Yumurtalik pipeline and the remainder is exported from the Mina al-Bakr oil terminal;

7. *Requests* the Secretary-General to establish an escrow account for the purposes of the present resolution, to appoint independent and certified public accountants to audit it and to keep the Government of Iraq fully informed;

8. *Decides* that the funds in the escrow account shall be used to meet the humanitarian needs of the Iraqi population and for the following other purposes, and requests the Secretary-General to use the funds deposited in the escrow account:

(*a*) To finance the export to Iraq, in accordance with the procedures of the Committee established pursuant to resolution 661 (1990), of medicine, health supplies, foodstuffs and materials and supplies for essential civilian needs, as referred to in paragraph 20 of resolution 687 (1991) provided that:

(i) Each export of goods is at the request of the Government of Iraq;

(ii) Iraq effectively guarantees their equitable distribution, on the basis of a plan submitted to and approved by the Secretary-General, including a description of the goods to be purchased;

(iii) The Secretary-General receives authenticated confirmation that the exported goods concerned have arrived in Iraq;

(*b*) To complement, in view of the exceptional circumstances prevailing in the three governorates mentioned below, the distribution by the Government of Iraq of goods imported under the present resolution, in order to ensure an equitable distribution of humanitarian relief to all segments of the Iraqi population throughout the country, by providing between 130 and 150 million United States dollars every ninety days to the United Nations Inter-Agency Humanitarian Programme operating within the sovereign territory of Iraq in the three northern governorates of Dihouk, Arbil and Suleimaniyeh, except that if less than one billion United States dollars worth of petroleum or petroleum products is sold during any ninety-day period, the Secretary-General may provide a proportionately smaller amount for this purpose;

(*c*) To transfer to the Compensation Fund the same percentage of the funds deposited in the escrow account as that decided by the Council in paragraph 2 of resolution 705 (1991) of 15 August 1991;

(*d*) To meet the costs to the United Nations of the independent inspection agents and the certified public accountants and the activities associated with implementation of the present resolution;

(*e*) To meet the current operating costs of the Special Commission, pending subsequent payment in full of the costs of carrying out the tasks authorized by section C of resolution 687 (1991);

(*f*) To meet any reasonable expenses, other than expenses payable in Iraq, which are determined by the Committee established pursuant to resolution 661 (1990) to be directly related to the export by Iraq of petroleum and petroleum products permitted under paragraph 1 above or to the export to Iraq, and activities directly necessary therefor, of the parts and equipment permitted under paragraph 9 below;

(*g*) To make available up to 10 million United States dollars every ninety days from the funds deposited in the escrow account for the payments envisaged under paragraph 6 of resolution 778 (1992) of 2 October 1992;

9. *Authorizes* States to permit, notwithstanding the provisions of paragraph 3 (*c*) of resolution 661 (1990):

(*a*) The export to Iraq of the parts and equipment which are essential for the safe operation of the Kirkuk-Yumurtalik pipeline system in Iraq, subject to the prior approval by the Committee established pursuant to resolution 661 (1990) of each export contract;

(*b*) Activities directly necessary for the exports authorized under subparagraph (*a*) above, including financial transactions related thereto;

10. *Decides* that, since the costs of the exports and activities authorized under paragraph 9 above are precluded by paragraph 4 of resolution 661 (1990) and by paragraph 11 of resolution 778 (1992) from being met from funds frozen in accordance with those provisions, the cost of such exports and activities may, until funds begin to be paid into the escrow account established for the purposes of the present resolution, and following approval in each case by the Committee established pursuant to resolution 661 (1990), exceptionally be financed by letters of credit drawn against future oil sales, the proceeds of which are to be deposited in the escrow account;

11. *Requests* the Secretary-General to report to the Council ninety days after the date of entry into force of paragraph 1 above, and again prior to the end of the initial one hundred and eighty-day period, on the basis of observation by United Nations personnel in Iraq and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) above, including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 1 above;

12. *Requests* the Committee established pursuant to resolution 661 (1990), in close coordination with the Secretary-General, to develop expedited procedures as necessary to implement the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of the present resolution and to report to the Council ninety days after the date of entry into force of paragraph 1 above and again prior to the end of the initial

one hundred and eighty-day period on the implementation of those arrangements;

13. *Requests* the Secretary-General to take the actions necessary to ensure the effective implementation of the present resolution, authorizes him to enter into any necessary arrangements or agreements, and requests him to report to the Council when he has done so;

14. *Decides* that petroleum and petroleum products subject to the present resolution shall while under Iraqi title be immune from legal proceedings and not be subject to any form of attachment, garnishment or execution, and that all States shall take any steps that may be necessary under their respective domestic legal systems to assure this protection and to ensure that the proceeds of the sale are not diverted from the purposes laid down in the present resolution;

15. *Affirms* that the escrow account established for the purposes of the present resolution enjoys the privileges and immunities of the United Nations;

16. *Affirms* that all persons appointed by the Secretary-General for the purpose of implementing the present resolution enjoy privileges and immunities as experts on mission for the United Nations in accordance with the Convention on the Privileges and Immunities of the United Nations,[4] and requires the Government of Iraq to allow them full freedom of movement and all necessary facilities for the discharge of their duties in the implementation of the present resolution;

17. *Affirms* that nothing in the present resolution affects Iraq's duty scrupulously to adhere to all its obligations concerning servicing and repayment of its foreign debt, in accordance with the appropriate international mechanisms;

18. *Also affirms* that nothing in the present resolution should be construed as infringing the sovereignty or territorial integrity of Iraq;

19. *Decides* to remain seized of the matter.

Adopted unanimously at the 3519th meeting.

Decisions

In a letter dated 23 June 1995,[5] the President of the Security Council informed the Secretary-General of the following:

> "The members of the Security Council are grateful for your letter of 1 June 1995 about the implementation of resolution 986 (1995).[6]
>
> "The members of the Council accept your conclusions, including that cooperation from the Government of Iraq is an essential prerequisite for the implementation of the resolution and, in the absence of such cooperation, they endorse your decision to postpone preparation of the report requested in paragraph 13 of the resolution.
>
> "The members of the Council hope that you will take the opportunity of your contacts with the Government of Iraq to obtain its agreement to the implementation of the resolution, which represents a temporary measure to provide for the humanitarian needs of the Iraqi people."

In a letter dated 6 October 1995,[7] the President of the Security Council informed the Secretary-General of the following:

> "In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 2 October 1995,[8] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission, as well as its modalities of operation.
>
> "I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 6 April 1996.
>
> "I should also like to inform you that the members of the Council agree with your proposal to have Germany become a contributor to the Mission."

In a letter dated 26 October 1995,[9] the President of the Security Council informed the Secretary-General of the following:

> "I have the honour to inform you that your letter dated 23 October 1995 concerning the appointment of Major-General Gian Giuseppe Santillo of Italy to succeed Major-General Krishna Thapa as Force Commander of the United Nations Iraq-Kuwait Observation Mission, with effect from 1 December 1995,[10] has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter."

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[4] General Assembly resolution 22 A (I).

[5] S/1995/507.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, document S/1995/495.

[7] S/1995/847.

[8] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/836.

[9] S/1995/886.

[10] S/1995/885.

THE PROPOSAL BY CHINA, FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ON SECURITY ASSURANCES

Decision

At its 3514th meeting, on 11 April 1995, the Security Council decided to invite the representatives of Algeria, Egypt, Hungary, India, the Islamic Republic of Iran, Malaysia, Pakistan, Romania and Ukraine to participate, without vote, in the discussion of the item entitled:

> "The proposal by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on security assurances
>
> "Letter dated 6 April 1995 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/1995/271)".[1]

Resolution 984 (1995)

of 11 April 1995

The Security Council,

Convinced that every effort must be made to avoid and avert the danger of nuclear war, to prevent the spread of nuclear weapons, to facilitate international cooperation in the peaceful uses of nuclear energy with particular emphasis on the needs of developing countries, and reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[2] to these efforts,

Recognizing the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive security assurances,

Welcoming the fact that more than one hundred and seventy States have become parties to the Treaty, and stressing the desirability of universal adherence to it,

Reaffirming the need for all States parties to the Treaty to comply fully with all their obligations,

Taking into consideration the legitimate concern of non-nuclear-weapon States that, in conjunction with their adherence to the Treaty, further appropriate measures be undertaken to safeguard their security,

Considering that the present resolution constitutes a step in this direction,

Considering also that, in accordance with the relevant provisions of the Charter of the United Nations, any aggression with the use of nuclear weapons would endanger international peace and security,

1. *Takes note with appreciation* of the statements made by each of the nuclear-weapon States,[3] in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. *Recognizes* the legitimate interest of non-nuclear-weapon States parties to the Treaty to receive assurances that the Security Council, and above all its nuclear-weapon State permanent members, will act immediately in accordance with the relevant provisions of the Charter of the United Nations, in the event that such a State is the victim of an act of, or object of a threat of, aggression in which nuclear weapons are used;

3. *Recognizes also* that, in case of aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State party to the Treaty, any State may bring the matter immediately to the attention of the Security Council to enable the Council to take urgent action to provide assistance, in accordance with the Charter, to the State victim of an act of, or object of a threat of, such aggression, and recognizes further that the nuclear-weapon State permanent members of the Council will bring the matter immediately to the attention of the Council and seek Council action to provide, in accordance with the Charter, the necessary assistance to the State victim;

4. *Notes* the means available to it for assisting such a non-nuclear-weapon State party to the Treaty, including an investigation into the situation and appropriate measures to settle the dispute and restore international peace and security;

5. *Invites* Member States, individually or collectively, if any non-nuclear-weapon State party to the Treaty is a victim of an act of aggression with nuclear weapons, to take appropriate measures in response to a request from the victim for technical, medical, scientific or humanitarian assistance, and affirms its readiness to consider what measures are needed in this regard in the event of such an act of aggression;

6. *Expresses its intention* to recommend appropriate procedures, in response to any request from a non-nuclear-weapon State party to the Treaty that is the victim of such an act of aggression, regarding compensation under international law from the aggressor for loss, damage or injury sustained as a result of the aggression;

7. *Welcomes* the intention expressed by certain States to provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used;

8. *Urges* all States, as provided for in article VI of the Treaty, to pursue negotiations in good faith on effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament under strict and effective international control, which remains a universal goal;

9. *Reaffirms* the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security;

10. *Underlines* the fact that the issues raised in the present resolution remain of continuing concern to the Council.

Adopted unanimously at the 3514th meeting.

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[1] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[2] *United Nations, Treaty Series*, vol. 729, No. 10485.

[3] *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995*, documents S/1995/261-S/1995/265.

THE SITUATION RELATING TO NAGORNY KARABAKH[1]

Decisions

At its 3525th meeting, on 26 April 1995, the Security Council decided to invite the representative of Azerbaijan to participate, without vote, in the discussion of the item entitled "The situation relating to Nagorny Karabakh".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[2]

"The Security Council has considered the reports of the Co-Chairmen of the Minsk Conference of the Organization for Security and Cooperation in Europe on Nagorny Karabakh submitted in accordance with paragraph 8 of its resolution 884 (1993).[3] It expresses its satisfaction that the ceasefire in the region agreed upon on 12 May 1994 through the mediation of the Russian Federation in cooperation with the Minsk Group of the Organization for Security and Cooperation in Europe has been holding for almost a year.

"At the same time, the Council reiterates the concern it has previously expressed at the conflict in and around the Nagorny Karabakh region of the Azerbaijani Republic and at the tensions between the Republic of Armenia and the Azerbaijani Republic. In particular, it expresses its concern at recent violent incidents and emphasizes the importance of using the mechanism of direct contacts for the settlement of incidents as agreed upon on 6 February 1995. It strongly urges the parties to the conflict to take all necessary measures to prevent such incidents in future.

"The Council reaffirms all its relevant resolutions, *inter alia*, on the principles of sovereignty and territorial integrity of all States in the region. It also reaffirms the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory.

"The Council reiterates its full support for the efforts of the Co-Chairmen of the Minsk Conference to assist in conducting speedy negotiations for the conclusion of a political agreement on the cessation of the armed conflict, the implementation of which will eliminate major consequences of the conflict for all parties, *inter alia*, ensuring withdrawal of forces, and permit the convening of the Minsk Conference.

"The Council stresses that the parties to the conflict themselves bear the main responsibility for reaching a peaceful settlement. It stresses the urgency of concluding a political agreement on the cessation of the armed conflict on the basis of the relevant principles of the Charter of the United Nations and of the Organization for Security and Cooperation in Europe. It strongly urges those parties to conduct constructively negotiations without preconditions or procedural obstacles and to refrain from any actions that may undermine the peace process. It emphasizes that the achievement of such an agreement is a prerequisite for the deployment of a multinational peacekeeping force of the Organization for Security and Cooperation in Europe.

"The Council welcomes the decision of the Budapest summit of the Conference on Security and Cooperation in Europe[4] of 6 December 1994 on the intensification of action by the Conference in relation to the Nagorny Karabakh conflict.[5] It confirms its readiness to provide continuing political support, *inter alia*, through an appropriate resolution regarding the possible deployment of a multinational peacekeeping force of the Organization for Security and Cooperation in Europe following agreement among the parties for cessation of the armed conflict. The United Nations also stands ready to provide technical advice and expertise.

"The Council underlines the urgency of the implementation by the parties of confidence-building measures, as agreed upon within the Minsk Group on 15 April 1994, in particular in the humanitarian field, including the release of all prisoners of war and civilian detainees by the first anniversary of the ceasefire. It calls upon the parties to prevent suffering of the civilian populations affected by the armed conflict.

"The Council reiterates its request that the Secretary-General, the Chairman-in-Office of the Organization for Security and Cooperation in Europe and the Co-Chairmen of the Minsk Conference continue to report to the Council on the progress of the Minsk process and on the situation on the ground, in particular on the implementation of its relevant resolutions and on present and future cooperation between the Organization for Security and Cooperation in Europe and the United Nations in this regard.

"The Council will keep the matter under consideration."

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[1] Resolutions or decisions on this question were also adopted by the Council in 1992 and 1993.

[2] S/PRST/1995/21.

[3] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/249; and ibid., *Supplement for April, May and June 1995*, document S/1995/321.

[4] By another decision of the Budapest summit, the Conference on Security and Cooperation in Europe became known as the Organization for Security and Cooperation in Europe.

[5] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995*, document S/1995/249, annex.

COMMEMORATION OF THE END OF THE SECOND WORLD WAR IN EUROPE

Decision

At its 3532nd meeting, on 9 May 1995, the Security Council discussed the item entitled "Commemoration of the end of the Second World War in Europe".

COMMEMORATION OF THE END OF THE SECOND WORLD WAR IN THE ASIA-PACIFIC REGION

Decision

At its 3565th meeting, on 15 August 1995, the Security Council discussed the item entitled "Commemoration of the end of the Second World War in the Asia-Pacific region".

THE SITUATION IN CYPRUS[1]

Decision

At its 3547th meeting, on 23 June 1995, the Security Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/1995/488 and Add.1)".[2]

Resolution 1000 (1995)

of 23 June 1995

The Security Council,

Welcoming the report of the Secretary-General of 15 June 1995 on the United Nations operation in Cyprus,[3]

Taking note of the recommendation of the Secretary-General that the Security Council extend the mandate of the United Nations Peace-keeping Force in Cyprus for a further period of six months,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 30 June 1995,

Reaffirming its earlier relevant resolutions on Cyprus, in particular resolutions 186 (1964) of 4 March 1964 and 969 (1994) of 21 December 1994,

Expressing its concern that there has been no progress towards a final political solution,

Noting that no progress has been made on extending the unmanning agreement of 1989,

Noting also that a review of the situation on the Secretary-General's mission of good offices in Cyprus remains in progress, and looking forward to receiving a definitive report at an appropriate time,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending on 31 December 1995;

2. *Calls upon* the military authorities on both sides to ensure that no incidents occur along the buffer zone and to extend their full cooperation to the Force;

3. *Requests* the Secretary-General to keep under review the structure and strength of the Force with a view to its possible restructuring, bearing in mind the possible implications of an agreement on the extension of the unmanning agreement of 1989;

4. *Expresses concern* about the modernization and upgrading of military forces in the Republic of Cyprus and the lack of progress towards a significant reduction in the number of foreign troops in the Republic of Cyprus, urges once again all concerned to commit themselves to such a reduction and to a reduction of defence spending in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[4] and calls upon the Secretary-General to promote efforts in this direction;

5. *Expresses concern also* about the failure by the military authorities on both sides to take reciprocal measures to prohibit along the ceasefire lines live ammunition or weapons other than those which are hand-held and to prohibit also the firing of weapons within sight or hearing of

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[1] Resolutions or decisions on this question have been adopted by the Council every year since 1963.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for April, May and June 1995.*

[3] Ibid., documents S/1995/488 and Add.1.

[4] Ibid., *Forty-seventh Year, Supplement for July, August and September 1992*, document S/24472, annex.

the buffer zone, and calls upon those authorities to enter into discussions with the Force on this matter in line with paragraph 3 of resolution 839 (1993) of 11 June 1993;

6. *Regrets* the failure to reach agreement on the extension of the unmanning agreement of 1989 to cover all areas of the buffer zone where the two sides are in close proximity to each other, and calls upon the military authorities on both sides to cooperate urgently with the Force to this end;

7. *Urges* the leaders of both communities to promote tolerance and reconciliation between the two communities as recommended in the relevant reports of the Secretary-General;

8. *Welcomes* the Secretary-General's decision to continue contacts with the two leaders to make every effort to find common ground for the basis for a resumption of direct talks;

9. *Reaffirms* the importance it attaches to early progress being made on the substance of the Cyprus question and on the implementation of the confidence-building measures as called for in resolution 939 (1994) of 29 July 1994;

10. *Requests* the Secretary-General to submit a report by 10 December 1995 on the implementation of the present resolution and on any obstacles he may have encountered;

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3547th meeting.

Decisions

In a letter dated 11 July 1995,[5] the President of the Security Council informed the Secretary-General of the following:

> "The members of the Security Council have considered your letter dated 7 July 1995 concerning the requests by the United Nations Peace-keeping Force in Cyprus to the Turkish and Turkish Cypriot authorities regarding access by the Force to the excavations currently being undertaken in the old city of Nicosia, Cyprus, and the need for a full and detailed briefing on the plans which have been put into effect.[6]
>
> "The members of the Council recall the provisions of resolution 1000 (1995) of 23 June 1995, in which the Council called upon the military authorities on both sides in Cyprus to cooperate fully with the Force. The members of the Council note that the requests by the Force regarding the excavations in question fall within the terms of the unmanning agreement of 1989, and extend their full support to the efforts being made by the United Nations to secure access without further delay by the Force to inspect the excavations. The members ask you to inform the Council of the outcome of the inspection, once it has taken place."

At its 3608th meeting, on 19 December 1995, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/1995/1020)".[7]

Resolution 1032 (1995)

of 19 December 1995

The Security Council,

Welcoming the report of the Secretary-General of 10 December 1995 on the United Nations operation in Cyprus,[8]

Taking note of the recommendation of the Secretary-General that the Security Council extend the mandate of the United Nations Peace-keeping Force in Cyprus,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the Force in Cyprus beyond 31 December 1995,

Reaffirming its earlier relevant resolutions on Cyprus, in particular resolutions 186 (1964) of 4 March 1964 and 1000 (1995) of 23 June 1995,

Expressing its concern that there has been no progress towards a final political solution,

Noting that no progress has been made on extending the unmanning agreement of 1989,

1. *Decides* to extend the mandate of the United Nations Peace-keeping Force in Cyprus for a further period ending on 30 June 1996;

2. *Calls upon* the military authorities on both sides to ensure that no incidents occur along the buffer zone and to extend their full cooperation to the Force;

3. *Requests* the Secretary-General to keep under review the structure and strength of the Force with a view to its possible restructuring, and to present any new considerations he may have in this regard;

4. *Welcomes* the humanitarian review undertaken by the Force with regard to the living conditions of the Greek Cypriots and the Maronites living in the northern part of the island and of Turkish Cypriots living in the southern part of the island, supports the recommendations of the Force contained in the report of the Secretary-General,[8] and decides to keep the matter under review;

5. *Expresses concern* about the continuing modernization and upgrading of military forces in the Republic of Cyprus and the lack of progress towards a significant reduction in the number of foreign troops in the Republic of Cyprus, urges once again all concerned to commit themselves to such a reduction and to a reduction of defence spending in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[4] and calls upon the Secretary-General to promote efforts in this direction;

6. *Expresses concern also* about the failure by the military authorities on both sides to take reciprocal measures

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[5] S/1995/562.

[6] *Official Records of the Security Council, Fiftieth Year, Supplement for July, August and September 1995*, document S/1995/561.

[7] Ibid., *Supplement for October, November and December 1995.*

[8] Ibid., documents S/1995/1020 and Add.1.

to prohibit along the ceasefire lines live ammunition or weapons other than those which are hand-held and to prohibit also the firing of weapons within sight or hearing of the buffer zone, and calls upon those authorities to enter into discussions with the Force on this matter in line with paragraph 3 of resolution 839 (1993) of 11 June 1993;

7. *Regrets* the failure to reach agreement on the extension of the unmanning agreement of 1989 to cover all areas of the buffer zone where the two sides are in close proximity to each other, and calls upon the military authorities on both sides to cooperate urgently with the Force to this end;

8. *Welcomes* the initiative of the Force in organizing successful bicommunal events, urges the leaders of both communities to promote tolerance, confidence and reconciliation between the two communities as recommended in the relevant reports of the Secretary-General, and calls upon them to promote further bicommunal contacts and to remove obstacles to such contacts;

9. *Welcomes* the Secretary-General's decision to continue contacts with the two leaders to make every effort to find common ground for the basis for a resumption of direct talks;

10. *Reaffirms* the importance it attaches to early progress being made on the substance of the Cyprus question and on the implementation of the confidence-building measures as called for in resolution 939 (1994) of 29 July 1994;

11. *Requests* the Secretary-General to submit a report during the coming mandate period on his mission of good offices, including a full assessment of his efforts towards reaching a settlement of the situation in Cyprus;

12. *Also requests* the Secretary-General to submit a report by 10 June 1996 on the implementation of the present resolution;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3608th meeting.

Part II: Other matters considered by the Security Council

THE INTERNATIONAL COURT OF JUSTICE[1]

A. *Election of a member of the International Court of Justice*

On 26 January 1995, the Security Council, at its 3493rd meeting, and the General Assembly, at the 96th meeting of its forty-ninth session, elected Mr. Vladlen S. Vereshchetin (Russian Federation) to the International Court of Justice to fill the vacancy created by the death of Judge Nikolai Konstantinovitch Tarassov.

B. *Date of an election to fill a vacancy in the International Court of Justice*

Decision

At its 3507th meeting, on 9 March 1995, the Security Council proceeded with its consideration of the item entitled "Date of an election to fill a vacancy in the International Court of Justice (S/1995/178)".[2]

Resolution 979 (1995)

of 9 March 1995

The Security Council,

Noting with regret the death of Judge Roberto Ago on 24 February 1995,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of the deceased Judge has thus occurred and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 21 June 1995 at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

Adopted without a vote at the 3507th meeting.

C. *Date of an election to fill a vacancy in the International Court of Justice*

Decision

At its 3510th meeting, on 22 March 1995, the Security Council proceeded with its consideration of the item entitled "Date of an election to fill a vacancy in the International Court of Justice (S/1995/209)".[2]

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[1] Resolutions or decisions on this question were also adopted by the Council in 1946, 1948, 1949, 1951, 1953, 1954, 1956, 1957, 1958, 1959, 1960, 1963, 1965, 1966, 1969, 1972, 1975, 1978, 1980, 1981, 1982, 1984, 1985, 1987, 1989, 1990, 1991, 1993 and 1994.

[2] See *Official Records of the Security Council, Fiftieth Year, Supplement for January, February and March 1995.*

Resolution 980 (1995)

of 22 March 1995

The Security Council,

Noting with regret the resignation of Judge Sir Robert Yewdall Jennings, taking effect on 10 July 1995,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Sir Robert Yewdall Jennings will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 12 July 1995 at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

Adopted without a vote at the 3510th meeting.

D. *Election of a member of the International Court of Justice*

On 21 June 1995, the Security Council, at its 3546th meeting, and the General Assembly, at the 104th meeting of its forty-ninth session, elected Mr. Luigi Ferrari Bravo (Italy) to the International Court of Justice to fill the vacancy created by the death of Judge Roberto Ago.

E. *Election of a member of the International Court of Justice*

On 12 July 1995, the Security Council, at its 3552nd meeting, and the General Assembly, at the 105th meeting of its forty-ninth session, elected Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland) to the International Court of Justice to fill the vacancy created by the resignation of Judge Sir Robert Yewdall Jennings.

F. *Date of an election to fill a vacancy in the International Court of Justice*

Decision

At its 3590th meeting, on 7 November 1995, the Security Council proceeded with its consideration of the item entitled "Date of an election to fill a vacancy in the International Court of Justice (S/1995/914)".[3]

Resolution 1018 (1995)

of 7 November 1995

The Security Council,

Noting with regret the death of Judge Andrés Aguilar Mawdsley on 24 October 1995,

Noting further that a vacancy in the International Court of Justice for the remainder of the term of office of the deceased Judge has thus occurred and must be filled in accordance with the terms of the Statute of the Court,

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[3] Ibid., *Supplement for October, November and December 1995.*

Noting that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 28 February 1996 at a meeting of the Security Council and at a meeting of the General Assembly at its fiftieth session.

Adopted without a vote at the 3590th meeting.

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decisions

On 29 March 1995, the President of the Security Council issued the following note:[1]

"1. Further to the notes by the President of the Security Council dated 30 June,[2] 27 July,[3] 31 August[4] and 29 November 1993[5] and 28 February[6] and 28 July 1994[7] concerning the Council's documentation and other procedural questions, the President wishes to state that all members of the Council have indicated their agreement with the following proposals:

"The following improvements should be introduced to make the procedures of the Sanctions Committees more transparent:

"(*a*) The practice of issuing press releases after meetings of the Committee should be increased;

"(*b*) The Status-of-Communications lists under the "No Objection" procedure prepared by the Secretariat should be made available to any delegation which wishes to have a copy;

"(*c*) A list of all other decisions by each active Committee should be prepared by the Secretariat, on a regular basis, and be made available to any delegation which requests it;

"(*d*) The annual report of the Council to the General Assembly should contain, in the introduction, more information about each Committee than it does at present;

"(*e*) An annual report to the Council should be prepared by each Committee, providing a concise indication of each Committee's activities;

"(*f*) An effort should be made to expedite the preparation of the summary records of each Committee.

"For the implementation of these measures, the existing procedures of the Committees should be respected.

"Meetings of the Sanctions Committees should remain closed, as they are now, and the summary records of those meetings should continue to be distributed according to the existing pattern.

"2. The members of the Council will continue their consideration of other suggestions concerning the Council's documentation and related matters."

On 31 May 1995, the President of the Security Council issued the following note:[8]

"1. Further to the note by the President of the Security Council dated 29 March 1995[1] concerning the Council's documentation and other procedural questions, the President wishes to state that all members of the Council have indicated their agreement with the following proposal:

"The practice of hearing comments by States and organizations concerned during closed meetings of the Sanctions Committees on issues arising from implementation of sanctions regimes imposed by the Security Council should be continued while respecting the existing procedures followed by such Committees.

"2. The members of the Council will continue their consideration of other suggestions concerning the Council's documentation and related matters."

* * *

In a letter dated 31 May 1995,[9] the President of the Security Council informed the Secretary-General of the following:

"As President of the Security Council for the month of May 1995, I have the honour to send you the attached letter concerning the resources necessary for the operations of the Council, which the members of the Council asked me to transmit to you.

"I should be grateful if you would arrange for the appropriate distribution of this letter to the heads of the competent Secretariat services, in particular to Mr. Connor and Mr. Goulding. This document will also be circulated as a document of the Security Council.

"ANNEX

"Letter concerning the resources necessary for the operations of the Security Council

"The members of the Security Council have asked me to write to you about the staffing of the Security Council Affairs Division of the Department of Political Affairs of the Secretariat and about the resources allocated to servicing the meetings of the Council and its committees.

"The members of the Council wish to stress the importance they attach to the quality of work provided to them by the Security Council Affairs Division and the significance of this work for the discharge of their responsibilities for ensuring prompt and effective action by the United Nations in order to maintain international peace and security. Council members have studied statistics which have been provided by the Secretariat concerning the change in recent years in the volume of activity of the Council in comparison with the resources and services made available to it for discharging its duties; they note that these resources have hardly increased, and have on occasion decreased, between 1987-1988 and 1993-1994, whereas the work of the Council has increased enormously. Council members express their concern in the face of this situation and wish to call for adequate staffing to enable the Council and its committees to function effectively.

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[1] S/1995/234.
[2] S/26015.
[3] S/26176.
[4] S/26389.
[5] S/26812.
[6] S/1994/230.
[7] S/1994/896.

[8] S/1995/438.
[9] S/1995/440.

"We wish to stress the importance we attach to the work of the Security Council Practices and Charter Research Branch of the Security Council Affairs Division and its need for adequate staffing resources.

"We welcome the recent increase in staff to support the sanctions committees and look forward to a report in due course on whether this increase has decreased the backlog in processing applications to these committees.

"We should like to stress the need for Council members to be able to use the official language of their choice in all their work. This means that interpretation services should be adequate for the discharge of all the Council's responsibilities.

"With regard to the staffing of the Secretariat Services Branch of the Security Council Affairs Division and the provision of interpreters by Conference Services, Council members request the Secretary-General to take the appropriate and necessary measures to ensure fully adequate support services for the Council, taking into account the increase in the Council's workload over recent years."

In a letter dated 16 November 1995,[10] the President of the Security Council informed the Secretary-General of the following:

"I have the honour to inform you that your letter dated 9 November 1995 concerning the elimination of the backlog in processing applications submitted to the sanctions committees[11] has been brought to the attention of the members of the Security Council. They welcome the information contained in your letter."

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[10] S/1995/958.

[11] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/957.

FIFTIETH ANNIVERSARY OF THE UNITED NATIONS

Decision

At its 3583rd meeting, on 26 September 1995, the Security Council considered the item entitled "The fiftieth anniversary of the United Nations".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[1]

"The Security Council has met on 26 September 1995, at the level of Ministers for Foreign Affairs, to commemorate the fiftieth anniversary of the United Nations and to exchange views on the challenges which the Council faces.

"Since its establishment, the Council has played a crucial role in the maintenance of international peace and security on which development and cooperation among nations are based. The past few years in particular have been ones of momentous change, bringing fresh hope and new challenges. Operations mandated by the Council have assisted in the restoration of peace and stability to countries long plagued by war. Although such operations have largely been successful, there are areas where success has not been achieved. The Council must continue to spare no effort in working for the maintenance of international peace and security and build upon its experience of past and existing operations.

"The Council recognizes that the challenges facing the international community demand a resolute response, based on the principles and purposes of the Charter of the United Nations. The members of the Council consider that the United Nations must be strengthened and revitalized to help to meet these challenges. They take note of the conclusion of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and other Matters Related to the Security Council, *inter alia*, that the Council should be expanded and that its working methods should continue to be reviewed, in a way that further strengthens its capacity and effectiveness, enhances its representative character and improves its working efficiency and transparency, and that important differences on key issues continue to exist. The Council also believes that effective use should be made of instruments for preventive action and that the Organization's capacity to conduct effective peacekeeping operations should continue to be improved. The Council will continue to attach utmost importance to the safety and security of all who serve under the United Nations flag in the field.

"The members of the Council reaffirm their commitment to the collective security system of the Charter. On the solemn occasion of the fiftieth anniversary of the United Nations, the Council, along with other United Nations bodies, commemorates what has been achieved so far, but also commits itself once again to the maintenance of international peace and security, for which it has primary responsibility, and to working to save succeeding generations from the scourge of war."

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[1] S/PRST/1995/48.

ITEMS INCLUDED IN THE AGENDA OF THE SECURITY COUNCIL IN 1995 FOR THE FIRST TIME

NOTE: The Council's practice is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting in 1995 will be found in the *Official Records of the Security Council, Fiftieth Year*, 3486th to 3615th meetings.

The following chronological list shows the meeting at which the Council decided, in 1995, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
An Agenda for Peace	3492nd	18 January 1995
The proposal by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on security assurances	3514th	11 April 1995
Commemoration of the end of the Second World War in Europe	3532nd	9 May 1995
Navigation on the Danube river	3533rd	11 May 1995
Commemoration of the end of the Second World War in the Asia-Pacific region	3565th	15 August 1995
The fiftieth anniversary of the United Nations	3583rd	26 September 1995
The situation in the former Yugoslavia	3585th	6 October 1995
The situation in Sierra Leone	3597th	27 November 1995

CHECKLIST OF RESOLUTIONS ADOPTED BY THE SECURITY COUNCIL IN 1995

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970 (1995)	12 January	The situation in the Republic of Bosnia and Herzegovina	6
971 (1995)	12 January	The situation in Georgia	44
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973 (1995)	13 January	The situation concerning Western Sahara	54
974 (1995)	30 January	The situation in the Middle East	71
975 (1995)	30 January	The question concerning Haiti	1
976 (1995)	8 February	The situation in Angola	59
977 (1995)	22 February	The situation concerning Rwanda	86
978 (1995)	27 February	The situation concerning Rwanda	86
979 (1995)	9 March	Date of an election to fill a vacancy in the International Court of Justice	109
980 (1995)	22 March	Date of an election to fill a vacancy in the International Court of Justice	110
981 (1995)	31 March	United Nations Protection Force	23
982 (1995)	31 March	United Nations Protection Force	25
983 (1995)	31 March	United Nations Protection Force	26
984 (1995)	11 April	The proposal by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America on security assurances	104
985 (1995)	13 April	The situation in Liberia	49
986 (1995)	14 April	The situation between Iraq and Kuwait	101
987 (1995)	19 April	The situation in the Republic of Bosnia and Herzegovina	7
988 (1995)	21 April	The situation in the Republic of Bosnia and Herzegovina	8
989 (1995)	24 April	The situation concerning Rwanda	87
990 (1995)	28 April	The situation in Croatia	30
991 (1995)	28 April	Central America: efforts towards peace	98
992 (1995)	11 May	Navigation on the Danube river	38
993 (1995)	12 May	The situation in Georgia	45
994 (1995)	17 May	The situation in Croatia	31
995 (1995)	26 May	The situation concerning Western Sahara	55
996 (1995)	30 May	The situation in the Middle East	72
997 (1995)	9 June	The situation concerning Rwanda	88
998 (1995)	16 June	United Nations Protection Force	27
999 (1995)	16 June	The situation in Tajikistan and along the Tajik-Afghan border	79
1000 (1995)	23 June	The situation in Cyprus	106
1001 (1995)	30 June	The situation in Liberia	49
1002 (1995)	30 June	The situation concerning Western Sahara	56
1003 (1995)	5 July	The situation in the Republic of Bosnia and Herzegovina	11
1004 (1995)	12 July	The situation in the Republic of Bosnia and Herzegovina	11
1005 (1995)	17 July	The situation concerning Rwanda	90
1006 (1995)	28 July	The situation in the Middle East	72
1007 (1995)	31 July	The question concerning Haiti	3
1008 (1995)	7 August	The situation in Angola	64
1009 (1995)	10 August	The situation in Croatia	34
1010 (1995)	10 August	The situation in the Republic of Bosnia and Herzegovina	14
1011 (1995)	16 August	The situation concerning Rwanda	90
1012 (1995)	28 August	The situation in Burundi	76

Resolution number	*Date of adoption*	*Subject*	*Page*
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1014 (1995)	15 September	The situation in Liberia	51
1015 (1995)	15 September	The situation in the Republic of Bosnia and Herzegovina	15
1016 (1995)	21 September	The situation in the Republic of Bosnia and Herzegovina	16
1017 (1995)	22 September	The situation concerning Western Sahara	57
1018 (1995)	7 November	Date of an election to fill a vacancy in the International Court of Justice	110
1019 (1995)	9 November	The situation in the former Yugoslavia	40
1020 (1995)	10 November	The situation in Liberia	52
1021 (1995)	22 November	The situation in the former Yugoslavia	41
1022 (1995)	22 November	The situation in the former Yugoslavia	42
1023 (1995)	22 November	The situation in Croatia	36
1024 (1995)	28 November	The situation in the Middle East	73
1025 (1995)	30 November	The situation in Croatia	37
1026 (1995)	30 November	The situation in the Republic of Bosnia and Herzegovina	17
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11 May	The situation in Angola (S/PRST/1995/27)	63
19 May	The situation in Tajikistan and along the Tajik-Afghan border (S/PRST/1995/28)	79
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14 July	The situation in the Republic of Bosnia and Herzegovina (S/PRST/1995/32)	12
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